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UNDER ARTICLE 44 OF THE CONVENTION

Second periodic reports of States parties due in 1998*

Addendum

LEBANON

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Executive summary

Introduction

1. In 1994, Lebanon prepared an initial report on the progress achieved in implementing the Convention on the Rights of the Child. At the time, satisfactory statistical data on population and on social and economic conditions were unavailable, as the work carried out by the official statistics bodies came to a halt with the outbreak of war in Lebanon in 1975. Since 1994, however, efforts have been made to address this fundamental lack of data, thus providing the statistical groundwork needed to prepare the present version of the second periodic report (1993-1998). In view of the detailed information and analysis which it contains, this key report serves as a basis for providing the concerned international authorities with an accurate picture of the status of children in Lebanon and as an equally suitable basis for the formulation of national policies aimed at improving that status.

2. Before embarking on the subject, two comments directed at the international bodies concerned, in particular the Committee on the Rights of the Child in Geneva, should be made.

3. The first comment is that the definition of a child as contained in the Convention on the Rights of the Child is synonymous with a minor who has not attained the age of majority (18 years). Although a broad definition is both understandable and essential with a view to widening the scope of protection in consistency with the general approach towards developing the concept of human rights, the practice of categorizing all those aged under 18 into one group and under the same designation fails to acknowledge the existence of subgroups which are typified by cognitive, psychological and social characteristics that go hand in hand with distinctive needs and programmes. Lebanon's second periodic report therefore holds that the definition of the child as contained in the Convention should be widened to include the educational and psycho-social dimensions and that the different stages of childhood should also be specified, whether in the body of the Convention itself or in its annexes.

4. The second comment is that the progress achieved in implementing the Convention is linked to the progress achieved in creating an auspicious global climate and the responsibility of international bodies in that connection. The Convention takes the correct view that realization of the rights of the child in the manner which it envisages implies that the path of human development should be pursued, together with measures aimed at preserving the environment, solving the debt problem and eradicating poverty. The Convention also rightly urges Governments to respect their duties towards their children as they determine the indicators for measuring the effectiveness of their performance in this field. Conversely, however, the feeling is that insufficient effort is exerted to ensure that international bodies assume their share of responsibility in providing a suitable global climate for the rights of the child, particularly in connection with reviewing the international economic and political structures which have an adverse effect on the situation of countless millions of children in the developing world. Accordingly, Lebanon's report also urges the imperative need to devote attention to this aspect.

CHAPTER I

GENERAL FRAMEWORK FOR ANALYSIS OF THE STATUS OF CHILDREN IN LEBANON

1.1 Introduction

5. Children inhabit the same world of achievements and failures as the adults who run it. On the threshold of the twenty-first century, human civilization can boast towering achievements in the fields of knowledge, technology, production, economics, culture, communications and so on, while at the same time, the human race suffers myriad complaints of inadequacies and failures. Typical examples of these are as follows:

- Despite the advancement of civilization and culture, many countries continue to be torn apart by war. Most of the victims are civilians, particularly women and children, and in far higher proportions than occurred in the conventional wars which took place in earlier decades.

- The benefits of scientific and technological progress and its impact on production and economic growth are still largely confined to a small number of countries, while most of the countries and peoples which represent the developing world continue to strain under the ordeal of poverty, illness and illiteracy.

- As much as it has unified the world and narrowed geographical distances, globalization has created a dual world penetrated by a bottomless pit that grows deeper by the year, turning alienation and marginalization into a widespread phenomenon on a global and nationwide scale.

6. Countries, peoples and often even entire continents are among the victims of this pattern in the development of civilization. Other victims are large population groups usually referred to as weak, vulnerable, oppressed, alienated, marginalized and so on, all of which are recent terms which express the new phenomenon already mentioned that has permeated virtually every country in the world. It is now recognized that children are among these unfortunate groups in our world of today, together with women, the aged, the disabled, young persons, the poor, the displaced, indigenous peoples, minorities and so forth.

7. The fact that extremely large population groups such as children (and women) form part of the above groups is both striking and extremely significant in view of the profound and long-term effect that it will have on the future of development for the next generations. The cause is attributable to a number of factors, primarily the predominance which the values of material profit have gained in recent years over other human values evolved over thousands of years. In the past two decades, for example, all aspects of the social and human world and any activities commonly construed as "unproductive" became secondary if they are inconsistent with the achievement of the economic objectives of growth. In order to appreciate fully the present and future worth of children, it is essential to move away from the conventional views of development to the modern-day approaches in which people and society are given priority with a view to meeting the requirements for ongoing sustainable development.

8. The World Declaration on the Survival, Protection and Development of Children (1990)[1], having observed this connection between the status of children, the overall global situation and the situation within each individual country, stipulated that Member States should undertake a commitment to the following ten-point programme aimed at:

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[1] World Declaration on the Survival, Protection and Development of Children, adopted by the World Summit for Children held in New York on 30 July 1990. See Children First, a publication of the Higher Council for Childhood, Lebanon, and UNICEF, issued by the UNICEF Information Office, Beirut.

(i) Promoting ratification and implementation of the Convention on the Rights of the Child;

(ii) Enhancing children's health, lowering mortality and promoting access to sanitation;

(iii) Eradicating hunger, malnutrition and famine;

(iv) Strengthening the role of women and promoting responsible planning of family size;

(v) Working for respect for the role of the family in providing for children;

(vi) Reducing illiteracy and providing educational opportunities for all children;

(vii) Ameliorating the plight of millions of children who are victims of apartheid and foreign occupation; orphans and street children; the displaced children and victims of natural and man-made disasters; the disabled and the abused; the socially disadvantaged and the exploited;

(viii) Protecting children from the scourges of war and armed conflicts and promoting the values of peace, understanding and dialogue in the education of children;

(ix) Protecting the environment so that children can enjoy a safer and healthier future;

(x) Working for a global attack on poverty, which calls for transfers of appropriate additional resources to developing countries, as well as improved terms of trade, further trade liberalization and measures for debt relief. It also implies structural adjustments that promote world economic growth, particularly in developing countries, while ensuring the well-being of the most vulnerable sectors of the populations, in particular the children.[2]

9. The emphasis on this connection indicates the serious and comprehensive nature of the policies and measures which must be taken in order to improve the status of children globally and within each country over and beyond any general wishes of a merely moral nature. It is therefore essential to conduct a brief review of the social, economic and cultural conditions in Lebanon that can serve as a general framework for the purpose of addressing the status of children in Lebanon in a scientific and realistic manner.

1.2 The general economic, cultural and social framework

10. In Lebanon, the status of children and the approach to developing that status are both determined by a host of influences which can be split into three groups:

- Socio-economic influences: These include macroeconomic policies, trends in social movement, social and regional disparities, the availability of resources, spending and investment priorities and the prevailing pattern in the exploitation of natural resources and the handling of environmental issues.

- Socio-cultural influences: These include the composition of the social fabric, the family and traditional social structures, the cultural and value system, comprising religion, customs, social traditions and prevailing morals, the characteristics and effectiveness of the education system and the role of the media.

2 Ibid., pp. 13-16.

- Socio-political influences: These include the Israeli occupation, recurrent attacks, the effects of those attacks, ideological strife and the enduring problem of the displacement resulting from the Lebanese war.

11. In order to avoid unnecessary detail and repetition, however, this report is limited to dealing with selected issues that are more relevant to the status of children in Lebanon, both now and in the future. As well as setting out the context which produced the current situation, these issues include the following points:

1. The characteristics of the social fabric and the attitude of the family and society towards children;

2. The sustainability of the current pattern of growth: the public debt and the environmental question;

3. Armed conflicts and their effects: the situation in southern Lebanon and the western Bekaa and the question of displaced persons.

1.2.1 Children within the social fabric and the value system

12. Traditional structures and relationships continue to occupy an important and established place in the Lebanese social fabric, as well as in the cultural climate and the prevailing value system. They are also an essential element of the political structure. As such, they have a direct impact on the status of children in that the first manifestations of this traditional social pattern lie in the sharp distinction between the public areas of life (encompassing political, social, economic and legislative activity) and the private areas of life encompassing the family (as well as family relationships), which is regarded as territory in which outsiders are largely forbidden to interfere.

13. Such outsiders include the government authorities and the confessional authorities responsible for personal status law, who are entrusted with the most important aspect of family relationships in connection with the status of children and the protection of their fundamental rights. By contrast, the scope of direct government action is restricted to rights of nationality, legal protection, measures concerning juveniles and, in extreme cases, intervention on the basis of a complaint from a family member or relative in order to protect children from harm that is inflicted on them within the home. Here, it should be pointed out that, in connection with personal status, both the civil and confessional legal systems are consistent with the prevailing social values and traditions in so far as the family is regarded as having a special inviolability that must remain unbreached, except in particular circumstances. They are also consistent with the predominant view of the position of children within the family and the roles of all family members, in particular the conclusive decision-making role played by the head of the household (usually the father).

14. The family is therefore a special domain that is subject to a type of customary social law. This applies particularly to children, who are not yet regarded as citizens with rights that enable them to enjoy legal and social competence. The conduct of their daily lives is consequently subject to this law more than to any other public law, other than in the case of exceptions and dispute, as already mentioned.

15. It is essential to point out these characteristics in order to draw attention to the fact that the attitude towards children is closely connected to the characteristics of the society concerned and to its social and cultural heritage. Furthermore, any plans aimed at protecting and increasing children's rights inevitably proceed through the development of adult attitudes towards children and towards the family and society so that the sharp distinction between the areas of family and society at large is gradually diminished on the basis of new beliefs and attitudes formed in this field.

16. With reference to the family and its role, a distinction must be drawn between two frameworks which differ in terms of their structure, function and effect on children. The first of these is the nuclear family (abbreviated herein to "the family") and the second is the extended family.[3]

17. The nuclear family is the modern form of household. Consisting of a wife, husband and children, it is the smallest unit in the social order. Its basic functions are educational and psychological and, together with school, it is regarded as the most significant element in the education and upbringing of children before they achieve independence from the family. Providing an essential environment that is conducive to the physical, mental and social development of the child, the (nuclear) family is what is meant by care and support in the World Declaration on the Survival, Protection and Development of Children and in the Convention on the Rights of the Child. In Lebanon, the family fulfils its desired functions of nurturing and protecting the child and providing the care and affection needed to enable him or her to develop and form a personality. In regard to the substance and assignment of roles within the family, however, it is noteworthy that, under the influence of the prevailing social and cultural climate, more importance is attached to the roles of adults and males. As a result, children generally have no say in the decisions affecting their lives, such as the times set for studying, playing, eating and sleeping, as well as choice of school or field of specialization and choice of friends, games and pastimes. Instead, such choices are usually determined by adults on the basis of financial resources and their own views as to what is best for the child.

18. Moreover, the tendency of favouritism towards males is conducive to further discriminatory treatment against the girls in a family. It is no exaggeration to say that such treatment is particularly evident in the role which girls play in helping with domestic tasks, whereas boys are favoured with games and leisure time. It should be mentioned, however, that none of the several studies conducted recently pointed to any real distinction in terms of fundamental rights, such as the right to education, health care and nutrition. Finally, it should also be noted that it is probably somewhat arbitrary to make generalizations on this subject, since family behaviour, role assignment and attitudes towards children and their position in the family vary according to the educational, vocational and social characteristics of those responsible for the family. The proportion of families who embrace modern-day criteria for raising children that are more in conformity with the letter and spirit of the Convention on the Rights of the Child is constantly increasing, although there are no numerical data available by which to assess the size of increase.

19. There are two types of extended family: The first comprises a straightforward increase in the numbers of the nuclear family without the occurrence of any particular change in its educational functions; the second comprises a family structure composed of the clan and is a continuation of sorts of the traditional tribal structures which are passed down. The political role assumes more significance in this structure of family-cum-tribe, which is the basic unit in the system of sectarian political representation.

20. The Lebanese war (1975-1990) had contrasting effects on the nuclear family. On the one hand, the pressures leading to disintegration began to emerge as a result of enforced displacement and migration, the death of a family member, particularly the breadwinner, changes in places of accommodation, work and study, the strains of day-to-day living and so on. On the other hand, there was a kind of fallback onto the family as a protective and safe environment, as well as a revival of various forms of family solidarity as a means of overcoming the traumas of the war and adjusting to the security, political and economic pressures to which the family is subjected. This expansion of roles strengthened the close connection between the nuclear family and the first type of extended family, either because the nuclear family was joined by various relatives and next of kin or because living

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[3] "Features of sustainable human development in Lebanon", a report of the United Nations Development Programme (UNDP), chapter IV, Beirut, 1997.

accommodation was shared or adjacent as a result of the war conditions and the dwindling economic resources needed for a family to maintain its independence. Also strengthened was the close connection with the structure of the family-cum-tribe and the confessional group, both of which, in addition to their previously mentioned political role, have the resources to provide protection and other services.

21. These changes which took place during the war and which continue to this day place a particular type of pressure on the educational and psychological functions of the nuclear family, especially in regard to the status of children. The nuclear family, which runs its affairs independently, offers more consistency than the extended family when it comes to dealing with the development and education of children, as interference from different relatives can lead to confused rules of behaviour and upbringing. Within the extended family, the potential also exists for overemphasis on the authoritarian element of upbringing at the expense of the element of parental love and affection.

22. In accordance with the survey of statistical data on population and housing,[4] estimates are that extended families and nuclear families plus relatives account for 13.2% of resident Lebanese families and comprise 17% of children, compared with nuclear families, which account for 78% of families and comprise 82% of children.

23. There is an obvious overlap between the values and institutions of the family framework and those of the religious and confessional framework. The religious framework occupies an extremely important place in the value system, given that the family and the overall social framework are saturated with religious values and ideas about the family, family roles and children. The family is therefore a vital organic component of the prevailing culture, a situation which brings with it extremely positive elements (emphasis on the values of affection and tolerance, on the innocence and purity of children and on the need to ensure their care and well-being). None the less, it also has negative elements. The immediate link between family relationships, attitudes and religion, for instance, allows for less flexibility in tackling the arena of the family, as it is more difficult to adapt legislation, ideas and attitudes in line with the modern science of education in view of the encroachment of implicit religious assumptions.

24. The overlap with the confessional framework is primarily institutional in nature, for in addition to their judicial role in matters of personal status, the confessional groups also play a role in providing social services through an extensive network of health and educational institutions and non-governmental organizations working in the fields of welfare, relief and development. Consequently, they often steer a middle course between the family and the wider community. Furthermore, they play a direct role in education by means of their own curricula and educational institutions.

25. To summarize, it can be said that children in Lebanon are raised within the nuclear family, which serves as an unavoidable influencing factor. It is not, however, alone in this role, which it shares with three other institutions, namely the extended family, school and the confessional group. These institutions fulfil their designated roles against a social and cultural backdrop that is affected by a whole host of different factors, from national policies, social traditions and modern-day cultural trends to economic and social influences which place strains on family life and produce voluntary and involuntary changes in the functions, rights and attitudes of individual family members.

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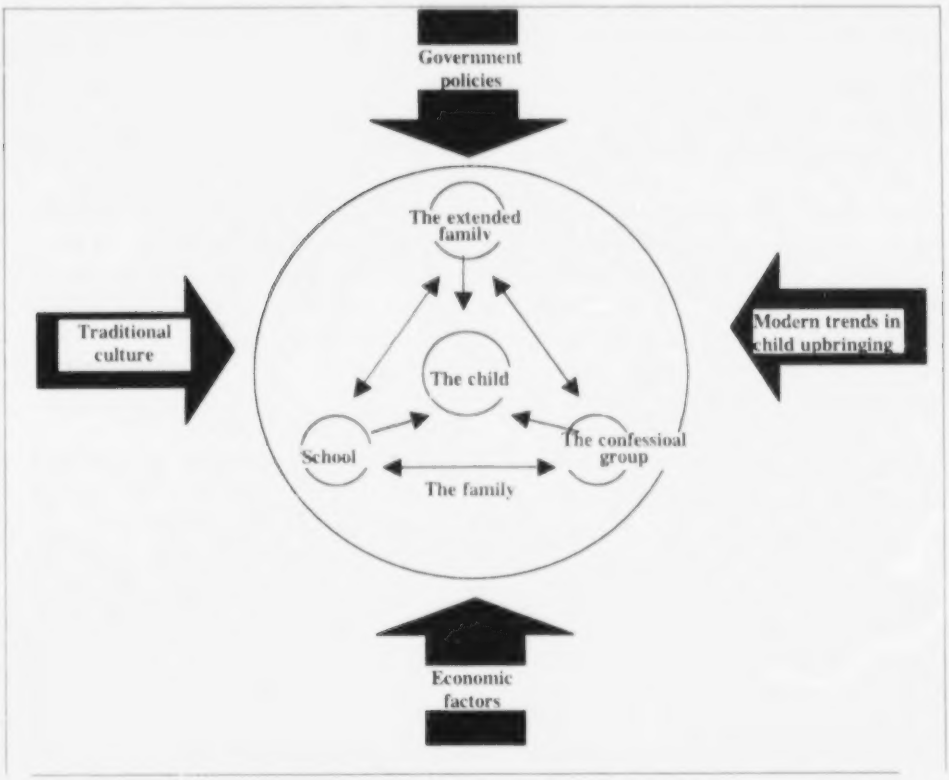
[4] Statistical survey of population and housing, Ministry of Social Affairs, 1996.

Factors influencing the upbr nging of children in Lebanon



1.2.2 Available economic resources and priorities for allocation

26. In order to make headway in implementing the requirements for compliance with the letter and spirit of the Convention of the Rights of the Child, two inherent conditions must be fulfilled. The first is to ensure the economic resources needed to carry out the commitments arising out of the Convention and the second is the ensure that there is the political will to do so. The best means of indicating that political will is to allocate ample resources to the priority of guaranteeing the rights of the child and the present and future interests of children.

27. Lebanon has emerged from a lengthy war which lasted from 1975 to the end of 1990 and left deep marks on the society, as well as on the State, the economy and the people. Sufficient years have passed since the halt of military activities for the Lebanese to embark fully on the task of rebuilding their nation and society, endeavouring in hope to solve their problems and improve their standard of living as quickly as possible. The years of war, however, cannot be held responsible for all the problems now facing the Lebanese, who disregard the structural imbalances which contributed towards the outbreak and continuation of the war. Nevertheless, it is also decidedly unobjective to ignore the profoundly negative impact of those years, as the question of addressing their economic, social and psychological effects is more complex that that of halting military activities and requires a longer time frame.

28. In that context of analysis, we shall briefly discuss the general features of the overall economic framework which determined the status of children during the period 1993-1998. We shall also discuss the manifestations of government policies as illustrated by the pattern in accordance with which the available resources are allocated to social affairs in general and to child-related issues in particular, as sufficient data is now available to make this possible.

29. Here is not the place to elaborate further on the human and economic losses resulting from the war. Suffice it to say that the material losses were estimated at a cost of $25 billion and that the gross domestic product following the halt of military activities (1992) was two thirds lower than it had been in 1974. The most striking evidence of the general impoverishment of the Lebanese was the collapse in the exchange rate of the national currency, coupled with the high inflation rates during the second half of the 1980s, which averaged about 120% per year and reached a record high of 400% in 1987.

30. Since October 1992, successive Governments have been faced with tackling this legacy and preparing the country to face the challenges of the future in an unwelcoming global climate. Accordingly, they strived to carry out this dual task, which often had the conflicting objectives of producing an economic revival on the one hand and safeguarding economic and monetary stability on the other, while also balancing the growing just needs and wide expectations of the Lebanese people with the economic resources available for the purpose of achieving the sustainable growth vital to any modern-day economy.[5]

31. In order to meet these complex challenges, the project for reconstruction and economic revival was based on heavy government investment in the Lebanese economic infrastructure with the aim of creating an environment that would promote economic growth. Financial and monetary measures were also introduced to control liquidity and inflation and tackle the deficit in the public purse which began to accumulate during the war years. This ambitious programme, however, encountered difficulties on several counts, as in order to achieve these objectives, the Government was obliged to raise public spending, thus increasing the budget deficit and leading in turn to an increase in the public debt. This occurred at a time when external funding was unavailable in the expected amount or on the anticipated terms. Moreover, domestic resources were limited in a country having only recently emerged from a lengthy war. The periods of political instability, both domestic and regional, and the two wars in particular which Israel launched against Lebanon in July 1993 and April 1996, were an enormous obstacle to growth and delayed attainment of the averages as forecast.

32. Nevertheless, the Government's economic programme achieved considerable successes: growth rates averaged 6.5%, foreign currency exchange rates stabilized, inflation rates fell from over 120% per year to single figures, interest rates gradually dropped, the Bank of Lebanon accumulated a large total of foreign currency reserves and so on.[6]

33. From 1992 onwards, consecutive Governments therefore continued to regard the budget deficit and the resulting increase in the public debt as the main challenge to the success of their project. As a result, they constantly endeavoured to tighten budgets in order to curb inefficient spending and increase the resources in the public purse. Owing to various external and internal factors, however, these efforts were not always fruitful.

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[5] 1998 budget outline, Lebanese Republic, Ministry of Finance.

[6] Ibid.

Selected economic indicators, 1992-1998

	1992	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*
Nominal GDP growth (millions of dollars)	5 540	7 537	9 110	11 122	12 996	14 957	-
GDP growth (per cent)	4.5	7.0	8.0	6.5	4.0	4.0	-
Actual budget deficit (per cent)	**48.7**	**38.5**	**56.9**	**48.2**	**51.1**	**59.0**	41.9 *(est.)*
Ratio of deficit to GNP	**11.4**	**8.9**	**19.4**	**15.7**	**18.8**	**23.5**	-
Balance of payments (millions of dollars)	54	1 169	1 131	256	786	420	-
Bank of Lebanon assets (millions of dollars)	1 448	2 220	3 840	4 487	5 886	5 932	-
Rate of inflation (per cent)	120	29.1	8.0	10.6	8.9	7.8	-
End-of-period exchange rate	1 838	1 711	1 648	1 596	1 552	1 527	-
Net public debt (billions of Lebanese pounds)	**4 383**	**5 138**	**8 127**	**11 399**	**16 266**	**22 006**	-
Debt servicing to total spending	**32.3**	**26.0**	**28.6**	**32.0**	**36.7**	**36.9**	40.4 *(est.)*

est = estimated

Source: 1998 budget outline

(The unshaded cells show positive indicators and successes, whereas the shaded cells show negative indicators and difficulties which impeded attainment of the objectives.)

34. The relevance of this analysis to the subject matter of this report is that the social sectors are adversely affected by the fall in resources and the priorities for their allocation. It is also apparent from the above discussion that most of the successes are concentrated in the field of financial and monetary stability and inflation control. Inflation control in particular has a direct and positive impact on improving living standards by protecting the value of the national currency. Furthermore, the successive Governments attempted to avoid overloading the public sectors with the burden of austerity and public debt servicing. In this respect, it is useful to analyse overall public spending during the years 1993-1998, including the external loans used during the last five years. After calculating the percentage share of public debt servicing to be carried by each expenditure item, the breakdown is as follows:

- 16% on servicing the debt balance accumulated since prior to 1993 and up to 1997;
- 51% on social, educational, health and security spending, including salaries, wages and bonuses for workers and retirees in public sector departments and institutions, as well as increases in those items;
- 26% on investment spending;
- 7% on running daily administration activities.[7]

35. In such a classification, the items included under social spending (workers' salaries and wages) are considerably expanded, thus explaining its excessive share (51%). (Subsequent parts of this report

[7] Ibid.

will be devoted to illustrating some of the features of public spending through the annual budgets.)[8] Apart from that, the national surveys and studies carried out in recent years have made it possible to arrive at a general classification of social problems and their extent. Several of the indicators illustrative of social circumstances in the sectors specializing in child health and nutrition, education, living standards and so on will be discussed. These indicators not only show the substantial progress achieved in a number of vital areas, but also reveal any weaknesses, inadequacies and disparities. This section therefore briefly points to some worrying social indicators which make up the essential features of children's lives and their development. The main problem, which also creates the biggest impact, is that the income level in Lebanese households is still generally low in comparison with the cost of living. As such, it constitutes the major pressure on children's living conditions.

36. Based on the findings of a study of household living conditions in Lebanon in 1997,[9] the problem of low income affects the majority of Lebanese households in varying ways. Approximately 31% of households, for instance, are obliged to incur debts in order to meet their essential needs, while no more than 11% of all households have any savings potential. Net unemployment rates (excluding hidden unemployment, which is widespread in Lebanon) are high among the group made up of young persons (the 15-20 age group), standing at an estimated 28.6%. Most households also fall within the low-income category. There are, however, significant variations between the different areas of the country in the case of this indicator and all other social (and economic) indicators.

Breakdown of households in Lebanon by monthly income group and governorate (percentage)

Income group (Lebanese pounds)	*Lebanon*	*Beirut*	*Beirut suburbs*	*Mount Lebanon, excluding suburbs*	*North*	*South*	*Nabatiyah*	*Bekaa*
Below 300	5.8	4.1	2.8	3.6	8.5	10.4	7	7.5
300-500	13	10.3	9.6	7.8	17	22.8	14.5	13
500-800	21	15.9	21.5	15.5	23.3	24.5	25.4	22.4
800-1 200	21.1	18.9	22.4	19.3	21.5	18	24	24.1
1 200-1 600	13.4	14.7	15.2	14.2	11.5	10	13.4	13.3
1 600-2 400	12.1	14.9	12.2	16.2	10.6	6.8	9.7	11.9
2 400-3 200	5.9	7.3	7.2	9.9	3.8	3.4	3.6	3.9
3 200-5 000	4.3	6.3	5	8.2	2.1	2	1.6	2.6
5 000 +	3.1	6.8	3.8	5	1.5	1.6	0.6	1.3
Unspecified	0.3	0.8	0.3	0.2	0.3	0.4	0.2	-
Total	100	100	100	100	100	100	100	100

Source: Household living conditions in 1997.

37. Irrespective of whether it is achieved to satisfactory or high levels, economic growth does not always automatically lead to the furtherance of human development. In the case of Lebanon, even when high growth rates are achieved, a relatively long period of time is necessary before any positive effect on living conditions is satisfactorily felt, whereas living and social pressures worsen at a more rapid pace. This situation demands immediate and rapid treatment at various levels. Household living

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[8] Preparations will shortly be under way to implement a project analysing the general budgets in cooperation with the Lebanese Government and international organizations as part of the 20:20 initiative. This analysis is intended to provide accurate and objective information on the nature of public spending, the social groups which benefit from it and the share spent on social and human priorities.

[9] "Household living conditions in Lebanon in 1997", Statistical Studies, No. 9, February 1998, Office of Central Statistics, Lebanese Republic.

conditions and the status of children, the most vulnerable group in society, are organically linked to such treatment.

1.2.3 Public debt and the environmental question

38. Commitments 9 and 10 of the 10-point programme contained in the World Declaration on the Survival, Protection and Development of Children state the need to protect the current and future interests of children through protection of the environment, at all levels, so that children can enjoy a safer and healthier future. They also indicate the need to attack poverty, including "measures for debt relief".[10] The growth of the public debt and the degradation of environmental conditions are two factors which have an impact on the creation of future living and work conditions, the implication being that the effects of decisions taken today will control the lives of the coming generations, or in other words, the children and youngsters of the present generation. Consequently, respect for the principle of taking into account the best interests of children and their right to future development suggests the need to devote greater attention to pursuing the course of sustainable and worthwhile development. In Lebanon's circumstances, the question is also related to the issues of the growing public debt and the deteriorating environmental conditions.

(a) Public debt

39. In order to achieve economic growth, particularly in the circumstances of today's world, it is undeniably necessary to resort to various sources for the required financial resources, among them borrowing from the international or domestic markets. The problem does not lie in the borrowing itself, or even in the fact that the borrowing terms are constantly shifting, but rather in the inability of the borrowing State to control its debt to the point where it gradually manages to alleviate its debt burden and liberate itself from debt on the strength of the dynamic growth of its economy. In the event that a specific country is unable to satisfy these conditions or is so over-reliant on borrowing to finance reconstruction or growth activities as to exceed the country's economic capability, the overall debt will increase at an uncontrollable pace, meaning that the next generations, or in other words, the children of today, will inherit burdens which they may be incapable of discharging.

40. In Lebanon, the war (1975-1990) was an enormous burden which the current generation inherited from the previous one, causing huge costs to be generated in repairing the devastation and restoring the country to face the present challenges. One aspect of this burden was manifested in the fact that the public debt multiplied by about 4.6 times during the period 1993-1998, leaping from $2.9 billion to $15.1 billion.[11]

41. The seriousness of this situation is mitigated by two issues. The first is that the absolute value of the net public debt (external and domestic combined) continues to approximate the value of the GDP. The second is that the share of the external debt (which creates more pressure and is more significant) does not exceed 16.4% of the total. On the other hand, however, the key hidden danger in the rapid growth of the public debt, the shift in apportionments and the importance of their components should be pointed out, the implication being that, if current trends continue, the next generation will face an enormous problem in this sphere.

42. The immediate adverse impact on the status of children lies in the fact that debt servicing constitutes a permanent burden on the general budget. During the period 1993-1998, for instance, it amounted to nearly 40% of the budget expenses, which indicates that the social and economic sectors are deprived of vital resources for development. These dangers are obvious to the Government, as well as to economic organizations and civil society, and constantly provoke discussion in the constitutional

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[10] World Declaration on the Survival, Protection and Development of Children.

[11] Bank of Lebanon, annual report of 1996, fourth quarterly report of 1997 and first quarterly report of 1998.

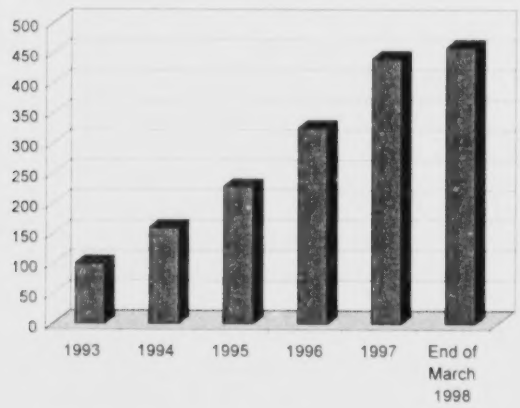
decision-making bodies. However, there are difficulties which hinder both attainment of the desired results with the necessary speed and attainment of the required rates of economic growth. The main cause of these difficulties is the regional instability and Lebanon's continuing exposure to Israeli attacks, the results of which are no different to the results of wars such as those of July 1993 and April 1996, creating as they do enormous losses and suspending or delaying the development process.

Growth of the public debt between 1993 and 1998
(billions of Lebanese pounds)

	1993	*1994*	*1995*	*1996*	*1997*	*1998*
Public debt servicing as a budget percentage *	45.4	33.8	40.5	40.3	42	43.7**
External debt (millions of dollars)	327.5	771.8	1 304.6	1 856	2 375	2 482
Net external debt (billions of dollars)	2.9	4.8	7.1	10.5	14.4	15.1
Growth of the public debt (1993 = 100)	100	159.3	227.7	325.2	440.6	458.6

Source: Bank of Lebanon, reports of 1996-1998.
* *Source:* General budgets of 1993-1998.
** *Source*: Estimated burden in 1998 in accordance with the draft budget for 1998.

Growth of the public debt (1993 = 100)



(b) The degradation of environmental conditions

43. The degradation of environmental conditions is a fundamental stress on the status of children at the present time and will continue to be so in the future. In regard to the present, particular reference should be made to all matters relating to the provision of an environment that is conducive to the health and development of children (clean water, sanitation and a healthy environment in the home and at school). These aspects will be discussed in the ensuing sections of this report. The future effects involve a number of disturbing phenomena at the national level, in particular the human and natural destruction of the natural environment, pollution of the urban environment, unplanned urban growth and so on. These are the ingredients which make up the picture of the natural and urban environment which today's children will inhabit in the future.

44. In regard to the degradation of the natural environment, the situation of agriculture is continuously in decline, thus creating pressure on the availability of locally produced natural foodstuffs and on living conditions in rural areas in general, which encourages exodus to the towns. In addition, the hundreds of fires that break out each year in the wooded areas of Lebanon constitute a huge environmental loss, the adverse effects of which will be suffered by the next generations. As for the urban environment, the first point to take on board is the fact that it is inhabited by 80% of the

population, 50% of whom alone live in Beirut, meaning countless problems in connection with population density, overcrowded housing, traffic and so on.

45. In this regard, one of the major problems is the heavy air pollution in towns, particularly Beirut, owing to the large number of cars and the presence of various industries and power-generating stations. In addition, towns and town suburbs have grown haphazardly as a result of poor urban planning. Accordingly, there is no synchronization between the expansion of the suburbs in particular and provision of the basic infrastructural requirements. The effect of random urban expansion, which assumed significant proportions during the war period when government planning and control was out of the question, was that towns came to consist of nothing other than housing complexes and blocks of cement, with no public spaces and in particular no children's parks or playgrounds and no cultural or leisure centres for youngsters and adolescents. As a result, towns lose their spirit and a one-dimensional environment is created that is insufficient to provide the right upbringing for children, adolescents and youths. As for tackling these matters, they have not yet been given the attention which they deserve. On the contrary, the expansion of the overall private property sector is governed by the same pattern of behaviour, apart from a very few exceptions where planning by the Government (such as in the centre of Beirut) or by municipalities which adopt initiatives in that direction has an impact. The effect of such measures on the overall trend, however, remains extremely limited and is no more than a very general commitment to certain town planning principles, without any true effort being made to respond to the needs of children in the urban and rural environments from the perspective of achieving some degree of integrity and continuity.

1.2.4 Armed conflicts and their effects on children

46. Lebanon spent many long years in the throes of a war which lasted from 1975 to 1990, representing the most serious event in its modern history. The cost of the human and social losses sustained by Lebanese society as a result is inestimable. The Lebanese people in general have paid the price, but the effects on the young generations and children are more serious and long-term. To cite just a few of the countless examples, the schools, human capabilities, equipment and curricula in the education sector, particularly the State education sector, suffered extremely heavy losses, leading to a significant deterioration in the performance of the educational system. In other words, pupils in the age groups included under the definition of the child (under 18 years) are thus denied one of their basic rights, namely the right to a good education which prepares them for fulfilment of their social and productive roles. The same applies to the deterioration in the health services provided by the public sector, the degradation of the environment, the loss of job opportunities, the family disintegration resulting from displacement and problems of social integration, not to mention the loss or injury of one or more family members during the war, whether a child or a member of the child's family or one of his relatives.

47. The effects of this difficult stage will be long-lasting, although some of their immediate manifestations remain unresolved to this moment. Two issues in particular can be mentioned. The first is the phenomenon of displacement, which affected about one-third of Lebanon's inhabitants during the war years. This situation has not yet been fully resolved, as there are thousands of families who are still unable to return to their true homes and places of work.[12] The second issue is the ongoing Israeli occupation of some 1,000 square kilometres of Lebanese territory in the south and the western Bekaa, representing about 10% of the area of Lebanon. This occupation is supplemented by almost daily attacks, as a result of which several of the villages situated along the permanently occupied strip are kept in a constant state of war. In addition are the attacks beyond these villages and the wars launched against Lebanon, such as those of July 1993 and April 1996, which were interjected by the appalling Qana massacre.

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[12] Recent data on the social status of displaced families are unavailable, thus preventing the inclusion of a chapter in this report on the status of displaced children.

48. The economic impact of this situation has already been mentioned. The social and psychological impact, however, is more significant still, particularly in the case of a considerable number of children and youngsters who, because of it, are more or less denied their childhood and youth. A separate chapter of this report will be devoted to the discussion of this subject.

CHAPTER II

DEFINITION OF THE CHILD

2.1 Definition of the child

49. Article 1 of the Convention of the Rights of the Child defines the child as follows:

> "For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier."

50. This general definition raises more than one issue relating to the particular nature of the child which causes it to be the subject of a special convention and to the criteria used to define the child on the basis of age, recognized legislation or psychological, social and other criteria. The definition contained in article 1 does not cover these aspects, which, in a sense, is only natural. It is consequently necessary, however, to infer such aspects from the provisions of the Convention as a whole and from the overall de facto and conceptual framework within which the articles of the Convention were formulated.

2.2 The child as the subject of a special convention

51. The elaboration of a special convention on the rights of the child was never a matter that was taken for granted. One view was that the Declaration of the Rights of the Child, adopted by the General Assembly of the United Nations in 1959, and the Universal Declaration of Human Rights were adequate to guarantee the rights of the child worldwide. The advocates of this view justified their position by pointing out the danger of making a distinction between children and other human beings, as it could signal a cue for dividing up human rights and diminishing the universality of their application.

52. The contrasting view was based on the following conceptual and practical justifications:

(a) On a daily basis, children suffer violence, discrimination, military aggression, occupation, homelessness, displacement, poverty, economic crises, debt crises, disease, illiteracy and so on. They endure these problems together with the rest of the human race and very frequently much more so by virtue of the fact that they are children. Immediate practical measures should therefore be taken to protect children from such situations.

(b) Singling out children does not dilute the concept of human rights, as children's rights are regarded as human rights and as a further complement to and development of human rights in general. They are also a special area of those rights and do not conflict with or replace them.

(c) The Declaration of the Rights of the Child of 1959 is not binding on Member States. In view of the need to adopt effective measures aimed at addressing the problems from which children suffer, it is essential to elaborate texts that are binding on the States signing them, which thus confirms the need to elaborate a special convention on children that fulfils this capacity.

53. The justifications of the call for a special convention on the rights of the child are based on three needs: the rights granted to children should strengthen or duplicate the rights granted to any human being, irrespective of age; the criteria applied to human beings in general should be enhanced in the case of children; and issues relating or confined to children should be addressed.

54. Ultimately, the latter point of view gained favour and was articulated in the adoption by the General Assembly of the United Nations of the Convention of the Rights of the Child on 20 November 1989.

2.3 Protection of and responsibility for the child

55. Based on the Universal Declaration of Human Rights, the preamble of the Convention on the Rights of the Child stresses that children are entitled to special care and assistance and that "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth."[1] Paragraph 2 of the World Declaration on the Survival, Protection and Development of Children also proclaims that "the children of the world are innocent, vulnerable and dependent. They are also curious, active and full of hope. Their time should be one of joy and peace, of playing, learning and growing. Their future should be shaped in harmony and cooperation. Their lives should mature, as they broaden their perspectives and gain new experiences."[2] Any person consulting an international (or national) text on children will find similar descriptions, all of which emphasize that the child is a vulnerable being because of his physical, mental and emotional immaturity and that he is dependant on others and should have care and protection.

56. This emphasis on the protection of children is the basis of the criticism levelled at the concept and substance of child rights to the effect that they are essentially parental rights and provide too much protection, although protection is only one of the components which fundamentally constitute the rights of the child. Protection is an important feature of human rights provisions in general and is also as important for particular groups such as ethnic, linguistic and religious minorities as it is for children.[3]

57. The concept of the child in the Convention is based on achieving a balance between the child as a human being who must be protected on the one hand and as a person who is competent to assume responsibility and enjoy some of the rights afforded to adults on the other. This balance is articulated by determining the age thresholds for the progressive acquisition of some of those rights in association with the acquisition of new skills, knowledge and aptitudes.[4] In general, protection measures are at their maximum in early childhood, when the child has no responsibility whatsoever. As he grows older, the special protection measures are reduced and his responsibility for his actions is proportionately increased until he attains the age of majority (18 years), when the special protection measures are removed and he is held fully responsible for his actions and enjoys the full exercise of his rights.

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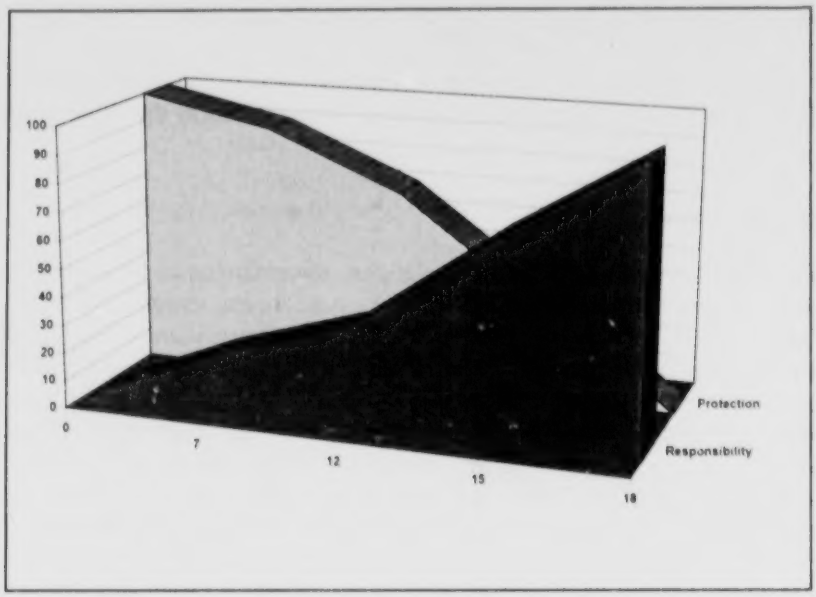
1 Preamble of the Convention on the Rights of the Child.

2 World Declaration on the Survival, Protection and Development of Children.

3 Abstract published by UNICEF and the International Organization for the Protection of Children, information materials, information card (1).

4 See Implementation Handbook for the Convention on the Rights of the Child, UNICEF, 1998.

Chart illustrating the progressive change in the protection and responsibility of the child between the time of birth and attainment of the age of majority[5]



2.4 Children and minors

58. Notwithstanding the above explanations, the difficulties posed by the definition of the child as contained in article 1 of the Convention cannot be ignored, as the child is defined in comparison to his adult "antithesis" based on the criterion of the age of majority, which, according to the Convention, is 18 years unless under the law applicable to the child, majority is attained earlier. Consequently, the definition of the child to some extent corresponds to that of a minor, as also indicated in the International Covenant on Civil and Political Rights (article 24) in relation to the protection of children as required by their status as minors.[6]

59. The demarcation of the age boundaries separating childhood and adulthood is not without significance, as the choice of age is linked to the level of development of human civilization, as well as to the recognized patterns of social organization, social roles and the requirements of those roles. The human being is consequently unable to perform his social and economic role before he is fully prepared for it or before he is fully grown, both physically and mentally. The age of majority is determined on the basis of the average modern-day educational requirements for admission to the employment market, the prevailing ideas of social roles and the physical, mental and moral indicators. The demarcation of 18 years of age is not only biological; it is also a complex social demarcation, as well as a shifting historical demarcation which, in international and national law, is expressed by means of age. This demarcation presupposes condensation of all the complex elements already mentioned.

60. This scrutiny is necessary in order to show that the demarcation of any age threshold for the acquisition of a right or the denial of a specific type of protection is an informal one. As such, it is

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[5] This diagram should be treated as providing only a rough indication, as the percentages showing the elements of responsibility and protection corresponding to age are imprecise. It gives only a general indication of the relative importance of the two elements of responsibility and protection in relation to children and illustrates in particular that the element of responsibility does not, in practice, begin to supersede that of protection until after the age of 15 years, a demarcation which is based on explanations to be made in the ensuing sections.

[6] See Implementation handbook for the Convention on the Rights of the Child.

bound to be criticized in terms of the extent to which it is consistent with the social and theoretical basis of the concept of child rights, even if it acquires legality by being duly promulgated in the form of a legislative enactment.

61. Such is the approach essentially adopted by the Convention on the Rights of the Child, although the definition contained in article 1 veers more towards the juristic approach in that it regards the child as a minor from the legal point of view, whereas a definition comprising the other elements which distinguish the child as an individual and social human being could have been used.

62. This "legal" definition, if that is the correct term, is central to the other problem in connection with the definition, namely that of increasing the age range to which the definition of the child can be applied to between the time of birth (and sometimes earlier) to the age of 18 years. The reason for regarding those 18 years as one stage is that they all share the same characteristic of being below the legal age of majority. All members of this age group are therefore minors. In other words, they enjoy no legal competence or only a lesser degree of legal competence. From the biological, psychological, educational and social points of view, however, there are often considerable essential differences between children according to age subgroups corresponding to the stages of growth and development, as well as to aptitudes and duties. On the basis of all these approaches, no one under the age of 18 years can be grouped together under one definition. On the contrary, even linguistically, adolescents and youngsters flatly reject the notion that they should be referred to as children. A definition such as the one used, which makes no distinction between the various steps in age, fails to take into account the views of those concerned, who would adopt an opposite view if they were to have any say in the matter. The question of subdividing the stages of childhood will highlighted in a practical manner when dealing with the secondary issues in connection with determining the age thresholds in the different areas.

2.5 Children from a psychological and educational perspective

63. Four of the many various avenues to the study of children are the biological, the behavioural, the cognitive and the psycho-social avenues.[7] Each of these avenues has its own theoretical tools and special fields of interest and focus. This wide variety of avenues could be regarded as a pretext for the failure to include the psycho-social dimension in the definition of childhood on the ground of striving for an objectivity that is presumed to exist in the juristic definitions. Psychology, educational science and sociology, however, have sufficiently established their positions and continue to regard variety as an essential component of the integrity of knowledge and not as a source of conflict and confusion.

64. Concerning the definition of childhood and the stages of childhood, we refer in particular to the division proposed by the Swiss psychologist, Jean Piaget, who divided childhood into four stages, as follows:

(a) The first and second years of a child's life, which constitute the sensorimotor stage;

(b) The years from two to seven, which represent the pre-operational stage of development (or the stage of intuitive thinking);

(c) The years from eight to 12, which represent the concrete operational stage (or the stage of empirical thinking);

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[7] Dr. Imad Al-Din Ismail, Muhammad, Children as the mirror of society (the social and mental development of children in their formative years), World of Knowledge series, No. 99, Kuwait, March 1986.

(d) The years from 13 onwards, during which time the child enters the formal operational stage (or the stage of abstract thinking).[8]

65. The approach employed by Piaget focused on the child's cognitive development, whereas other approaches monitored the biological, psychological or emotional aspects of development. Whatever the approach, however, the chronological division is somewhat similar, although there are individual (and sometimes group) differences in regard to the transition from one stage to another, which makes it impossible to pinpoint the moment of transition with any accuracy.

66. Based on information gathered from more than one source, the stage between the ages of 0 and 18 can be divided into the following substages:

The cradle stage: From 0-2 years;
The early childhood stage: From 2-6 years;
The middle childhood stage: From 6-9 years;
The late childhood stage: From 9-12 years;
The early adolescent stage: From 12-15 years;
The mid-adolescent stage: From 15-18 years.[9]

67. During these stages, the environment surrounding and influencing the child grows from one that is virtually confined to the home during the first few years into one that includes school and friends of the same sex, followed by children of the opposite sex and interaction with the wider social environment and its influences. The child also gradually moves on from the stage where he uses his five senses to develop his knowledge of the world to the stage where he increasingly uses his mental aptitudes skills to do so. At the same time, he acquires physical, emotional and moral maturity and becomes aware of the social roles and behaviour expected of him. He also becomes aware of his individuality, which expresses his unique personality as formed within the cocoon of the prevailing cultural and social order. Against that background, it is difficult to imagine that equal or even similar protective measures, rights and responsibilities should exist without any distinction being made between the different stages.

2.6 The beginning and end of childhood in general law

68. The Convention on the Rights of the Child explicitly defines the age of majority marking the end of the childhood stage as attainment of the age of 18. It does not, however, explicitly define the starting point of childhood. This deliberate omission is intended to avoid any conflict which might cause Member States to make reservations to the Convention or refrain from signing it.

69. Here, the controversy revolves around the matter of determining the moment when a child is formed. Is it at the moment of impregnation of the mother's womb? Or is it at the moment of birth? Or at some stage between the two? In the first instance, the right to abortion would be fully refuted, as it would undermine the right to life of the "child", a right which would apply to the foetus from the moment of impregnation.

70. It is for these reasons that the text is flexible and open, leaving it to national legislation to define the moment when the rights of the child commence, thus ensuring that the social and cultural context is taken into account. The preambles of the Convention on the Rights of the Child and the Declaration on

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[8] Jean Piaget, The Joy of Knowledge, series II, part I, "This is the Human Being", a chapter on human development.

[9] Classification based on the following sources: Dr. Emad Al-Din Ismail, Muhammad, Children as the mirror of society; Dr. Ya'qub Ghassan, The psychology of adolescents and youth, UNICEF publications, April 1993; and a table of the characteristic features of the development and needs of children from ages 6-18, observations of tutors from the Education Section, UNICEF, 1992.

the Rights of the Child, however, both provide for "appropriate legal protection, before as well as after birth". Nevertheless, the interpretation given to this provision does not imply the adoption of a final position on the question of the right to abortion and family planning, a matter which, as already indicated, is left to the legislation in each country.[10]

71. In the case of Lebanon, there are no separate legal texts which define childhood. The most universal legislative enactments which lend themselves to encompassing a definition of the child are the Duties and Contracts Act (the Civil Code) and the Penal Code.

72. Articles 215-218 of the Duties and Contracts Act define the child indirectly by determining the age at which a person is competent to be bound by contractual engagements, namely 18 years. In other words, it determines the full legal age at which the stage of childhood ends, which corresponds to the age specified in article 1 of the Convention on the Rights of the Child and is consistent with the approach of treating a child as a minor.

73. This definition, however, is not absolute, as the aforesaid articles of the Duties and Contracts Act also make a distinction between a minor who is capable of discretion and one who is not, but fail to specify the age at which such distinction occurs. Any arrangements entered into by a minor who is incapable of discretion are deemed null and void. Nevertheless, any arrangements entered into by a minor who is capable of discretion may also be null and void unless he has leave from the court to enter into such arrangements in the pursuit of commerce or industry, in which case he is treated as a person having attained the age of majority in his field of business to the extent required by that business.[11]

74. In contrast to this designated reduction in the age of majority, the laws on parliamentary, municipal and free elections in Lebanon allow for an age of majority which is higher than the ceiling indicated in the Convention. Hence, in accordance with these laws, no Lebanese citizen may exercise his right to vote in public elections unless he has attained the age of 21 years. In other words, the stage of childhood is extended in regard to acquisition of the fundamental right of voting. Lebanese legislation therefore makes a distinction between the general age of civil majority, which is 18 years, and the age of political majority, which is 21 years. As such, it is inconsistent with the text and substance of the Convention.

75. In the same way, there is no specific legal text which immediately determines the moment when childhood begins. In Lebanese law, however, abortion is regarded as a punishable crime pursuant to articles 541-545 of the Penal Code and no doctor may perform an abortion on a pregnant woman other than for medical reasons and within strict conditions. This legal text reflects the society's position on this subject, which coincides with the general position of the religious and confessional authorities in Lebanon, all of which generally prohibit abortion. The prevailing social and cultural traditions also tend towards that same position. Owing to the complexities of modern-day life and different cultural influences at play, however, the application of this text is less rigorous in practice, which is particularly true of recent years (during and after the war). Generally speaking, Lebanon can be said to have adopted the principle whereby the foetus is included under the protection stipulated in the Convention. In other words, the prenatal stage is deemed to be included within the definition of childhood and its every aspect, in particular the right to survival, by virtue of the ban on abortion.

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[10] See Implementation Handbook for the Convention on the Rights of the Child.

[11] See Rights of the Child in the series Know Your Laws by lawyer Antoine Milad Kayruz, Beirut, 1998. Together with a comparative legal study written for the benefit of the Higher Council for Childhood by Professor Ghassan Khalil, its Director-General, this was used as a reference work in all matters relating to legislative texts and comparisons between the Convention and Lebanese legislation. These two sources were used as reference works throughout the chapters of the report in general to a greater extent than is indicated in the footnotes, which show the use of particular extracts from the two studies only.

Brief comparison between the Convention, the law and practice in Lebanon in regard to the definition of the child

Definition of the child	*The Convention*	*Lebanon*	*Reference*
Beginning of the childhood stage	Unspecified	From the moment of impregnation	Ban on abortion (prevailing culture and articles 541-545 of the Penal Code). Some flexibility in practice
End of the childhood stage	18 years	18 years as a general demarcation 21 years for exercise of the right to vote Distinction of a minor capable of discretion and his capacity to enter into commitments with leave from the court	Articles 215-218 of the Duties and Contracts Act Electoral laws Age unspecified in the civil text, although, according to custom, it is about 15 years of age

2.7 The Penal Code

76. Under the Penal Code, the age of majority is 18 years. On attaining that age, any perpetrator of a crime is fully responsible for his actions and benefits from none of the special protective treatment afforded to minors. In regard to the assumption of criminal responsibility, however, the Penal Code clearly makes a fine distinction between four stages (which also correspond to four standards of measures for the protection and care of children/minors). The distinction consists in the penalties imposed on minors and in those imposed on perpetrators of crime. These stages are as shown in the following table:

Stages of criminal responsibility and protection in accordance with the Lebanese Penal Code

Age	*Criminal responsibility*	*Penalties for this age group*	*Penalties for those offending against a member of this age group*
0-6 years	None	No measures imposed	Severe penalties
7-11 years	Criminal responsibility	Protection measures or arrangements may be imposed	Less severe penalties than the previous stage
12-14 years	Greater criminal responsibility	Protection measures,arrangements, reform measures or disciplinary measures may be imposed, regardless of the type of crime	Less severe penalties than the previous stage
15-17 years	Greater criminal responsibility	Reduced penalties, including imprisonment away from adults	Less severe penalties than the previous stage

77. This division into stages comprises the degree of criminal responsibility and protection measures, which run in reverse order, and provides an example not yet mentioned of the balance required between the two elements of protection and responsibility when dealing with children. In this sense, the Lebanese text is consistent with the spirit of the Convention, in which no specific stages are defined.

78. The Lebanese legislative text is also consistent with the Convention in regard to the impermissibility of imposing on children under 18 years of age the sentences of capital punishment or imprisonment for life with hard labour and no possibility of release. However, some jurists and bodies active in the field of child rights believe that the penalties for the perpetrators of crimes against children should be more severe than they are at the moment. This issue is beyond the scope of the definition of the child and will be dealt with in subsequent parts of the report.

2.8 Personal status laws

79. The task of discussing the status of children under the personal status laws and making comparisons with the Convention on the Rights of the Child is especially difficult, given the large number of such laws in Lebanon. No unified personal standard law was ever elaborated by the Lebanese legislature, which instead charged the confessional groups with the task of regulating matters of personal status, allowing them to draft legislative acts and regulate their own particular justice systems in accordance with their beliefs. Consequently, 15 different justice systems have been formulated by the confessional groups, whose positions overlap on some issues and differ on others. It is therefore difficult to talk about a standard criterion in regard to the rights of the child. However, the fact that the Lebanese share a common cultural, social and historical background has the effect of producing general criteria of a socially acceptable nature that form a kind of tradition or prevailing custom which means that the different positions are not too far apart, despite the absence of any explicit legal text.

80. Taking their cue from the Civil Code, the personal status laws regard the age of majority as 18 years and make a distinction between a minor who is capable of discretion and one who is not, setting the age of 15 years as the point of distinction.[12] These laws deal with subjects of a particular nature, such as the rules on marriage, divorce, inheritance, filiation, custody, guardianship and so on. It is therefore essential to determine specific age thresholds concerning the competence to undertake such matters.

81. In regard to the conditions for marriage, puberty or the age at which men and women acquire the physiological capacity for reproduction is regarded as an essential condition. The actual age of puberty, however, cannot be determined in advance, as it varies in accordance with individual characteristics. Most legislative acts therefore deliberately specify a technical age for puberty which is higher than the actual age. The authorities are then permitted to licence marriage before that age in exceptional cases.[13] The age at which marriage may be licensed is determined by a number of considerations, including physiological capacity and the general social customs and traditions of the two spouses and their families, including their educational attainment.

82. On this subject, the position adopted in the personal status laws of the different confessional groups can be summarized as follows:

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[12] Dr. Antoine Kayruz, The Rights of the Child, op cit.

[13] For all matters relating to this section, see Dr. Al-Bilani, Bashir, The personal status laws in Lebanon, Dar Al-Ilm Lil-Malayin, Beirut, 1979.

Age of puberty and age at which marriage may be licensed in accordance with the laws of the different confessional groups

Confessional group	*Specified age of puberty*		*Age at which marriage may be licensed*		*Licensing authority*	*Articles in the law of the confessional group*
	Male	*Female*	*Male*	*Female*		
Sunni	18	17	17	9	Judge	4, 5, 6
Shiite	True puberty	True puberty	15	9	Judge	7, 8
Druze	18	17	16	15	Judge of the confessional group or shaykh	1, 2, 3
Catholic groups	16	14	14	12	The Patriarch	57, 62
Greek Orthodox	18	18	17	15	Head of the diocese	5, 18
East Syrian Orthodox	18	14	-	-	-	4
Evangelical	18	16	True puberty	True puberty	Religious court	22, 2
Jewish	18	12,5	13	12,5 unspecified	Guardianship or consent of the father and agreement of the girl's mother or a sister if she is an orphan	43, 33, 46

83. In all the personal status laws, mutual consent is deemed to be an essential condition for the validity of a marriage. This condition, however, is subject to two restrictions, particularly in the case of young girls. The first is a pragmatic social restriction, as a significant proportion of marriages are still contracted in accordance with the traditional method whereby no real substance is given to the opinion of the girl or even to that of the young man in some cases, since the responsibility for arranging the marriage and creating an atmosphere conducive to its conclusion is assumed by the family. The second restriction is that the family must consent to the marriage of a minor. In this connection, there are various levels, which can be summarized as follows:

- A cleric who marries a minor (under 18 years of age) without the agreement of his guardian is committing a crime punishable under article 483 of the Penal Code;

- Family consent is desirable in all cases, whatever the age of the marriage suitor, although this does not imply that parents have the right to force their children into marriage;

- Family consent is generally required until the age of legal majority is attained, or, in the case of the Greek Orthodox church, until the age of 21;

- In most of the laws, the marriage of a minor requires permission from the competent cleric and the guardian, although in the event of the latter's arbitrary exercise of his right, the cleric may dispense with requirement for his consent (in accordance with the Sunna);

- In the Greek Orthodox sect, the consent of the family dispenses with the need for the consent of the minor in the marriage contract;

- In general, some distinction is made between males and females in regard to the requirement for consent and the minimum age of marriage;

- The guardian may give a minor in marriage without his or her consent (Greek Orthodox and Shiite).[14]

84. It should be pointed out that there are significant variations in the application of these laws depending on the social background of the spouses in the sense that any flexibility or coercion in evidence are as much the product of prevailing customs as they are based on a legal text, and sometimes more so.

85. In practice, the average age for a first marriage, for example, is 20.5 years for females and 26 years for males (1996)[15], which is much higher than the minimum age stipulated in the personal status laws, thus highlighting the importance of social, economic and cultural factors in determining behaviour and attitudes.

86. A final point concerns the matter of custodial care, the award of which is linked to the approach adopted in the personal status laws towards the division of childhood into substages. Accordingly, custodial care generally coincides with the early stage of childhood, during which protection measures and regard for the best interests of the child are typically at their maximum. The mother generally has custodial care during that stage (exceptions to which are set out in the table below), at the end of which it is transferred to whomsoever has the right of guardianship over the child.

87. The positions adopted towards this stage by the laws of the different confessional groups can be summarized as follows:

Custodial care in the laws of the Lebanese confessional groups

Confessional group	*Custodial care of males*	*Custodial care of females*	*Comments*
Sunni and Druze	7	9	-
Greek Orthodox	7	9	-
Shiite	2	7	Provided that the mother is married
Evangelical	7	7	-
Jewish	6	Until marriage	-
Catholic	Unspecified	Unspecified	The religious courts have the right of discretion. A husband who is not at fault usually has right of custody in the event of separation.

Source: Al-Bilani, The Personal Status Laws in Lebanon, op. cit.

88. Concentrating further on the relationship of the personal status laws to the definition of the child and the substages of childhood, the above discussion can be summarized and a comparison made with the Convention on the Rights of the Child as follows:

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[14] Dr. Bilani, The Personal Status Laws in Lebanon, op cit.

[15] Statistical survey of population and housing, Ministry of Social Affairs and the United Nations Population Fund (UNFPA)

Comparison between the articles of the Convention and the personal status laws in regard to the definition of the child

	Convention	*Lebanon*	*Comments*
Age of majority	18	18	
Age of a minor capable of discretion	15	Unspecified	
Age of puberty	Unspecified	12.5-18 for females; 16-18 for males; or the onset of puberty	
Minimum age of marriage	Implicitly the age of majority	9-12 for females 13-17 for males	In practice, 20.5 years for females and 26 years for males
Age of consent to marriage	Compulsory in all cases	Essential for the validity of a marriage	Customs may create a climate in which choice is suppressed, particularly in the case of young girls
Age requiring consent of the family to marriage	Unspecified, provided that there is no conflict with the views and interests of the child	Essential for a minor, as is the authorization of a cleric	In some cases, the wishes of the family are sufficient without the minor's consent
Custodial care	Unspecified	Varies in accordance with the confessional group, but commonly continues to the age of 7 years for males and 9 years for females	

89. There are noticeable points of inconsistency with the Convention in matters relating to the age of marriage and, in particular, to the distinction between males and females. A further inconsistency relates to the consent of a minor as a prerequisite for the validity of a marriage. In some special cases, such consent replaces the consent of the guardian.

2.9 The Labour Act

90. In regard to the definition of the child and the minimum age for admission to the employment market, the Labour Act makes a distinction between two stages in the case of minors. In the first stage, a child may not be employed at all. In accordance with the most recent amendment of the Labour Act, this stage continues to the age of 13 years. In the second stage, consisting of the 14-17 age group, children may be employed under special conditions relating to matters such as working hours and conditions, type of work and so on.

91. In addition, there is discrimination against children and young persons in the wages which they receive compared to the older age groups. It is, in fact, a legal discrimination, as the Minimum Wages Act No. 36/67 excludes from its provisions any person who has not attained 20 full years of age. (The subject of child labour will be discussed in detail in a subsequent chapter.)

2.10 The definition of the child in education

92. Only two points will be discussed here. The first is the minimum age for compulsory education and the second is the stages of education which correspond to a child's stages of development, although this area will be explored in detail in the chapter devoted to the right to education.

93. In regard to compulsory education, Act No. 686, which was promulgated on 16 March 1998, includes an article amending a previous provision. The new provision now reads as follows:

> "Education shall be free and compulsory in the initial primary stage and is a right of every Lebanese person of primary school age. The conditions for such free compulsory education shall be determined by a decree adopted by the Council of Ministers, as shall its regulation."

94. As this provision is clearly new, no regulatory decrees have yet been promulgated. It is nevertheless a first step in the right direction. The prescribed age for the primary stage ends at 11 years in accordance with the system now in force and will be increased to 12 years under the new structure. Practical steps for the progressive application of this new structure began in the academic year 1998/99. It should be pointed out that this new structure uses the designation of basic education (lasting nine years), corresponding to the 7-15 age group, which is divided into a first stage (six years, corresponding to primary education) and a second stage (three years corresponding to intermediate education).

95. As already mentioned, the stages of education correspond to the different stages of child development, which, in accordance with both the old and new structures, are as follows:

Educational stage	*Age group (previous)*	*Age group (new)*
Kindergarten	4-6	4-6
Primary	7-11	7-12
Intermediate	12-15	13-15
Secondary	15-17	15-17

2.11 Synopsis of the stages of childhood by different sphere

96. In accordance with Lebanese legislation, the term "childhood" generally applies to minors and, as in the Convention on the Rights of the Child, is limited to the age below 18 years. There are noticeable distinctions between: the ages of minors who are capable of discretion and those who are not (15 years); the ages at which employment may be authorized subject to conditions and at which it is completely prohibited (13 years); the ages of no absolute criminal responsibility (up to 7 years) and of progressive criminal responsibility (12 and 15 years); and the ages at which education is divided into the stages of pre-primary (up to 6 years), primary (11 or 12 years), intermediate (15 years) and secondary (16 to 18 years). These divisions are close to one another and to the stages into which childhood is divided by psychologists, education experts and sociologists, and can be summed up in the following table:

Summary of the position of the various Lebanese legislative enactments in connection with the definition of childhood and its substages

Age		*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*13*	*14*	*15*	*16*	*17*	*18*	*19*	*20*	*21*
General law		Minor; incompetent to be contractually bound															Minor capable of discretion			Adult; not entitled to vote		
Penal Code		No criminal responsibility; full protection							Partial responsibility; protection or probationary measures					Greater responsibility; protection, probationary, reform and disciplinary measures			Greater responsibility; reduced penalties			Adult; full responsibility		
Personal Status	Males	Mother has custodial care							Father, guardian or legal trustee has care								Minor capable of discretion			Adult		
	Females	Mother has custodial care									Father, guardian or legal trustee has care						Minor capable of discretion			Adult		
Labour Act		Employment prohibited by law													May work under special conditions					Adult		
Education	Current				Kindergarten			Primary					Intermediate				Secondary			University		
	New					Kinder-garten		Primary						Intermediate			Secondary			University		
Psychology and sociology		Cradle		Early childhood				Middle childhood			Late childhood			Early adolescence			Middle adolescence			Adulthood or late adolescence		

CHAPTER III

THE CHILDREN OF LEBANON: ESSENTIAL FACTS

3.1 Concerning this chapter

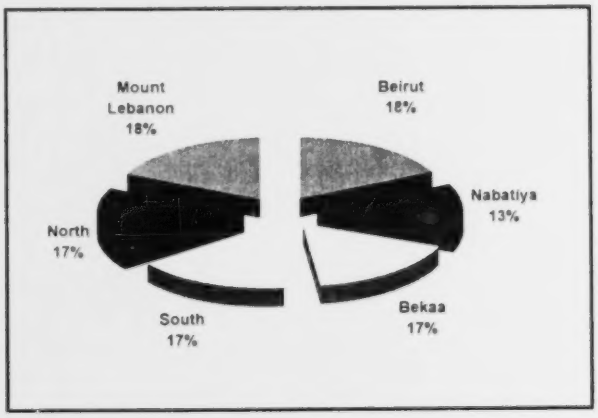
97. This chapter is distinct from the remaining chapters of this report, presenting as it does in condensed form, and without any in-depth analysis, the main statistical information on children in Lebanon (those under 18 years of age).[1] The benefit of this chapter is that it provides information on the size of this population group, its geographical distribution, its breakdown by age and the key features in connection with access to public services, as well as information on the standard of living and the numbers of children suffering from particular difficulties.

98. Needless to say, knowledge of this information is a prerequisite to forming an accurate and objective view of the status and problems of children. It is also a prerequisite to the process of outlining policies and devising inputs aimed at improving their circumstances and protecting their rights. This is essentially the objective of the Convention on the Rights of the Child.

3.2 Children in Lebanon: numbers, geographical distribution and breakdown by age

99. According to the statistical survey of population and housing, the number of children (aged under 18, or in other words, the 0-17 age group) is estimated at about 1.1 million, constituting some 35.6% of the total resident population. They are distributed throughout the six governorates in proportion to the number of inhabitants.

Diagram showing the breakdown of children (aged under 18) by governorate (per cent)



100. The high proportion of children (35.6%) indicates the youthfulness of Lebanese society. This proportion, however, varies appreciably according to region and social characteristics. It is at its highest in the governorate of the North, where the composition of the population is younger (41.8% of the population is aged under 18), whereas in Beirut, it stands at only 27.6%. Sharper differences are evident in the provinces in that rural and deprived districts usually comprise a high percentage of

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[1] All the information contained in this chapter is derived from one basic source, namely the Statistical Survey of Population and Housing, published in 1996 by the Ministry of Social Affairs, and two complementary sources, namely Map of living conditions in Lebanon (Ministry of Social Affairs and UNDP, 1998) and the Lebanese survey of maternal and child health (Ministry of Public Health and the League of Arab States). The relevant source is cited after each table or diagram.

children; for instance, the proportion of children stands at 48.2% in Akkar, at 44.5% in Munih and 42.9% in Harmal, all of which are rural districts. It stands at 42.4% in the district of Tyre, which is a mixture of rural and urban, and at 41.1% in the town of Tripoli. By contrast, it stands at 27.6% in the district of Kasrawan and at 17.7% in the district of Matn.

101. The following table includes detailed information by district and governorate from which it is possible to determine the actual numbers and proportions of inhabitants and children. Comparing the percentages contained in the last two columns, it is also possible to identify the governorates and districts in which the share of the total number of children in Lebanon is higher than their share of the total population, thus providing a further illustration of the youthfulness of the population in particular districts or governorates. The table additionally illustrates the share of districts in the total number of children, information which is crucial to the establishment of practical intervention programmes aimed at improving the circumstances of children.

Distribution of inhabitants and children by district and governorate (numbers and percentages)

District	*Number of inhabitants by district*	*Number of children (aged under 18)*	*Percentage of children in the district*	*Share of the district in the total number of children in Lebanon (%)*	*Share of the district in the total number of inhabitants in Lebanon (%)*
Beirut	407 403	112 301	27.6	10.1	13.1
Baabda	371 881	132 372	35.6	11.9	12
Matn	367 150	101 872	27.7	9.2	11.8
Shuf	120 473	39 828	33.1	3.6	3.9
Aley	99 947	36 222	36.2	3.3	3.2
Kasrawan	123 600	24 135	27.6	3.1	4
Jubayï	62 407	19 267	30.9	1.7	2
Governorate of Mount Lebanon	1 145 458	363 696	31.8	32.8	36.8
Munih	96 417	42 880	44.5	3.9	3.1
Tripoli	227 857	94 380	41.4	8.5	7.3
Kurah	47 540	14 690	30.9	1.3	1.5
Zgharta	48 974	17 153	35	1.5	1.6
Batrun	34 817	10 692	30.7	1	1.1
Akkar	198 174	95 526	48.2	8.6	6.4
Bsharri	16 831	5 030	29.9	0.5	0.5
Governorate of the North	670 610	280 351	41.8	25.3	21.6
Saidon	138 348	54 917	39.7	5	4.4
Tyre	130 083	55 205	42.4	5	4.2
Jazzin	14 262	3 510	24	0.3	0.5
Governorate of the South	283 057	113 632	40.1	10.3	9.1
Zahleh	124 336	44 914	36.1	4.1	4
Western Bekaa	55 692	22 416	40.2	2	1.8
Baalbek	157 049	65 255	41.6	5.9	5

District	*Number of inhabitants by district*	*Number of children (aged under 18)*	*Percentage of children in the district*	*Share of the district in the total number of children in Lebanon (%)*	*Share of the district in the total number of inhabitants in Lebanon (%)*
Harmal	18 975	16 717	42.9	1.5	1.3
Rashayya	23 839	9 535	40	0.9	0.8
Governorate of Bekaa	379 891	158 837	39.7	14.2	12.9
Nabatiyah	92 363	38 197	40.3	3.4	3
Bint Jubayl	52 710	21 561	40.9	1.9	1.7
Marjayoun	40 879	14 502	35.5	1.3	1.3
Hasbayya	19 460	6 075	31.2	0.5	0.6
Governorate of Nabatiyah	205 412	89 335	38.6	7.2	6.6
Lebanon as a whole	3 111 831	1 108 152	35.6	100	100

Source: Statistical Survey of Population and Housing, 1996.

3.3 Breakdown of children by age

102. Chapter II concerning the definition of the child indicated the need to divide the 0-17 age group, which is included within the definition of the child, into subgroups corresponding to the different stages of child development from the cradle through to adolescence and youth. This division continues to be warranted by the varying needs and abilities of the child during each stage. To arrive at divisions which correspond exactly the different divisions is problematic. This section therefore shows the age breakdown of children by three-year age groups from which the best use can be made on a number of counts for the purposes of this report and for the purposes of outlining policies and concrete intervention programmes (inoculation programmes for the under-fives, the provision of primary school places for the 6-11 age group, measures to tackle school drop-outs, vocational guidance for the 12-14 and 15-17 age groups and so on).

103. According to the same source (the 1996 statistical survey of population and housing), the distribution of inhabitants under 18 years of age among the three age groups is virtually equal, ranging from 16.8% to 18.1%, apart from the first age group (the under-threes), which accounts for only 12.8% of the total (thus showing the distinct tendency in recent years for families to have fewer numbers of children).

Breakdown of children (aged under 18) by three-year age groups (number and percentage)

Age in years	*Number*	*Percentage*
0-2	141 815	12.8
3-5	186 440	16.8
6-8	191 289	17.2
9-11	192 693	17.5
12-14	200 506	18.1
15-17	195 406	17.6
Total	1 108 149	100

Source: Statistical Survey of Population and Housing, 1996.

3.4 Housing conditions

104. The home is the principal and most important environment in the lives of families and children. This is particularly true in the initial stages of childhood. Access to suitable housing is a main prerequisite for guaranteeing the right of the child to survival and to healthy development in a safe and sound environment. In psychological and educational terms, the impact of housing conditions is significant, since living in overcrowded accommodation increases the likelihood of strain within the family and has immediate stressful implications for the formation of a child's individual character.

105. The findings of the statistical survey on housing and population clearly show that approximately 21% of children live in one- or two-room accommodation, which does not satisfy the minimum requirements needed to bring up a child in comfort. A further 26.1% of children live in three-room accommodation, which is an equally uncomfortable situation. Here, it should be added that impoverished families generally have more children and fewer rooms in less spacious accommodation.

106. As for space, 30.2% of children live in accommodation of under 80 square metres in area and approximately 69% live in accommodation with an average- or large-size area.

Breakdown of children by number of rooms and area of accommodation

Number of rooms in the house	*Percentage of children*	*Area of accommodation*	*Percentage of children*
2 rooms or fewer	20.9	Less than 30 sq m	4.1
3-5 rooms	69.3	31-80 sq m	26.1
6-9 rooms	9.2	81-140 sq m	38.9
10 rooms or more	0.3	141-200 sq m	21.7
Unaffected	0.4	Over 200 sq m	0.4
		Unaffected	0.4
Total	100	Total	100

Source: Statistical Survey of Population and Housing, 1996

3.5 Access to basic services

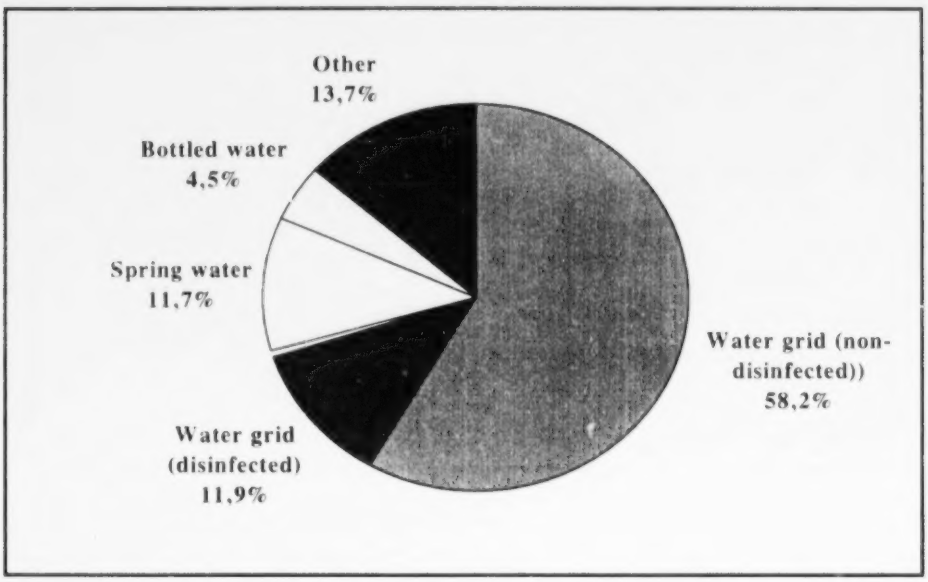
107. The Convention on the Rights of the Child provides that all children should have access to basic services as a fundamental right similar to that enjoyed by all citizens. It also provides that they should receive priority in that connection, as their physical health is more greatly affected than that of adults by lack of access to these services. Amenities such as the supply of domestic water, safe drinking water and sanitation in particular suffered tremendous damage during the long years of war. As a result, they are either non-existent or deteriorating in quality on a nationwide scale. The government reconstruction plans have given priority to the restoration of such services, which has tangibly improved access for the majority of the Lebanese people and consequently for the majority of its children.

108. The information provided by the statistical survey shows that the public grid is the main source of drinking water for 70.2% of children, compared with 11.7% who obtain their water from untreated sources (spring water, which is frequently of good quality). One matter which needs further investigation, however, is that of the contamination of water sources, as many cases of digestive illnesses, particularly among children, are reported each year as a result of the contamination of drinking water in more than one region.

Breakdown of children by source of drinking water

Source of drinking water	*Percentage*
Public grid (non-disinfected)	58.3
Grid (disinfected)	11.9
Spring water	11.7
Bottled water	4.5
Other	13.7
Total	100

Breakdown of children by main source of drinking water



Source: Statistical Survey on Population and Housing, 1996.

109. Some 92.7% of children have access to domestic water from public or private grids and from artesian wells, as opposed to 7.2% of children who live in homes which are unconnected to any water grid.

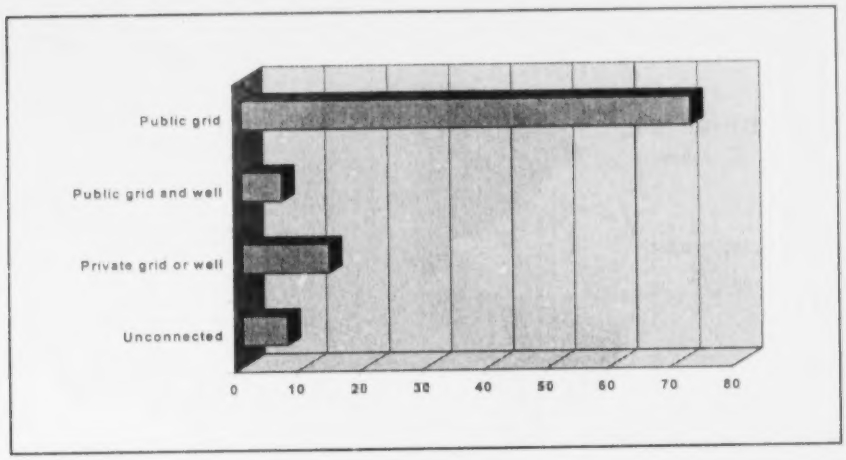
110. On this score, there is no problem on a nationwide scale. Instead, attention should be focused on the specific areas and pockets where a problem does exist. The number of supply hours and the rationalization of this important natural resource are also issues which should be addressed.

Distribution of children by water grid connection

Water grid connection	*Percentage*
Public grid	72.3
Public grid and well	6.5
Private grid or well	13.9
Unconnected	7.2
Total	99.9

Source: Statistical Survey of Population and Housing, 1996.

Breakdown of children by water grid connection



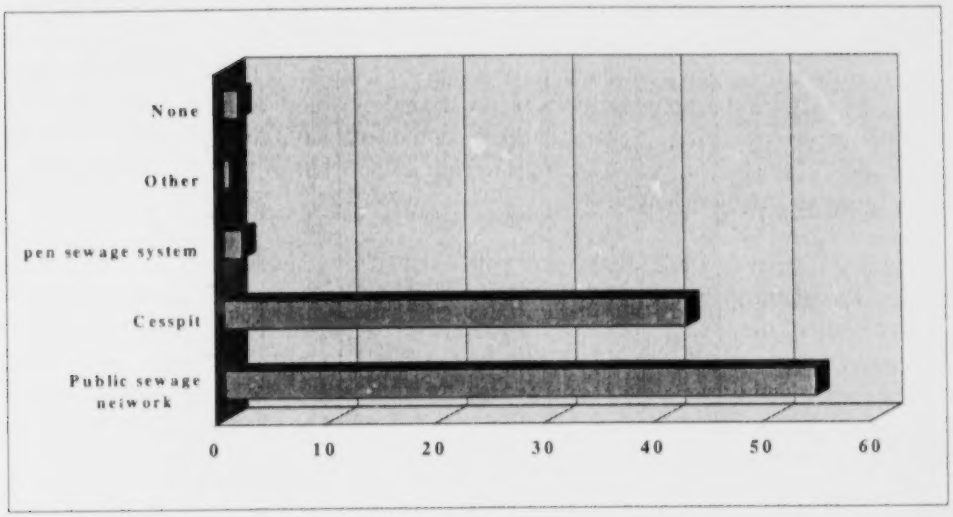
111. Finally, approximately 92.3% of children have access to sanitation by two main methods: the public sewage network or cesspits. Direct service access does not therefore pose a problem, although the use of cesspits is relatively high (42.2%) and is virtually the only method available in most rural and urban shanty areas. In this regard, the problem is one of environmental health, as few cesspits are built in accordance with sanitary specifications, thus increasing the risk of waste water seeping into the soil and into underground water sources.

Breakdown of children by access to sanitation

Means of sanitation	*Percentage*
Public sewage network	54.1
Cesspit	42.2
Open sewage system	1.7
Other	0.6
None	1.4
Total	100

Source: Statistical Survey of Population and Housing, 1996.

Breakdown of children by means of domestic sanitation



Source: Statistical Survey of Population and Housing, 1996.

112. As for access to domestic sanitation and the quality of such sanitation, the findings of the Lebanese survey of maternal and child health showed the following breakdown:

Breakdown of households by type of domestic sanitation

Type of lavatory	*% of households*
Lavatory with a flush tank connected to the public sewage network	50.4
Lavatory with a flush tank connected to a cesspit	24.7
Lavatory without a flush tank	20.1
Hole in the ground	3.8
None	1.1
Total	100

Source: Lebanese survey of maternal and child health, 1996.

3.6 Children's standard of living

113. Article 27 of the Convention on the Rights of the Child stipulates as follows:

> "States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development."

114. The other articles of the Convention also cover in detail those areas of health, education and public services which help to ensure an adequate standard of living, as well as measures to reduce mortality and improve nutrition. Several of the paragraphs contained in the World Declaration on the Survival, Protection and Development of Children and in the Plan of Action adopted by the World Summit for Children stipulate the need to combat poverty and improve the lives of children as one of the

main challenges and goals of the Convention and of the international and national efforts already exerted and to be further exerted to this end.[2]

115. The guarantee of an adequate standard of living for children is therefore a basic objective and results from the successful achievement of various secondary objectives in regard to the components of an acceptable standard of living. Several of these components have already been covered separately in previous section, whereas this section attempts to sum up how one of the integral measures of the standard of living in Lebanon is applied.

116. In the first quarter of 1998, the Ministry of Social Affairs, together with the United Nations Development Programme (UNDP) and the Norwegian Institute for Applied Science (FAFO), completed an analytical study of the findings of the statistical survey of population and housing.[3] The study, entitled A map of living conditions in Lebanon, is an attempt to quantify living conditions by constructing a set of indicators aimed at measuring the extent to which basic needs are satisfied (or denied) and the relative lifestyles of the inhabitants and families in groups where different levels of satisfaction are attained.

117. There is no scope here to provide details of the methodology employed (unsatisfied basic needs, or UBN), the essence of which is that a set of comparative indicators can be used to appraise the standard of living (low, average and high) among groups of inhabitants in general and the extent to which their needs are satisfied in four secondary areas, namely housing, water and sanitation, education and income-related indicators. The same methodology was employed in preparing this report, which included the use of thresholds and indicators to calculate the breakdown of the children resident in Lebanon into groups on the basis of the degree to which needs are satisfied in general and in the above-mentioned areas (in other words, categories based on the standard of living). Generally speaking, it can be said that the basic needs of those in the low satisfaction group are correspondingly unsatisfied in accordance with the thresholds and criteria adopted by the study.

118. In accordance with this method, 42.3% of children (aged under 18) can be regarded as deprived on the basis of the thresholds set in the said study. An almost identical number (42.1%) have an average standard of living and 15.6% have a high standard of living.

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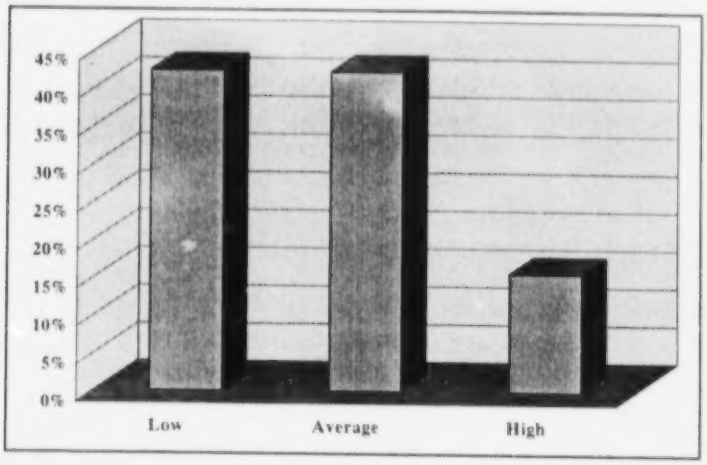
[2] See the texts referred to in the pamphlet entitled "Children First", published by the Higher Council for Childhood and UNICEF, op. cit.

[3] Map of living conditions in Lebanon (an analytical study of the findings of the statistical survey of population and housing), final draft, February 1992, Ministry of Social Affairs and the UNDP Office, Beirut. This study was as yet unpublished at the time of writing this report. The methodology used in the study, as well as means of comparison, were applied to the raw data contained in the statistical survey of population and housing in order to obtain divisions in regard to the living standard of children in general and in secondary areas.

Breakdown of children (aged under 18) by standard of living

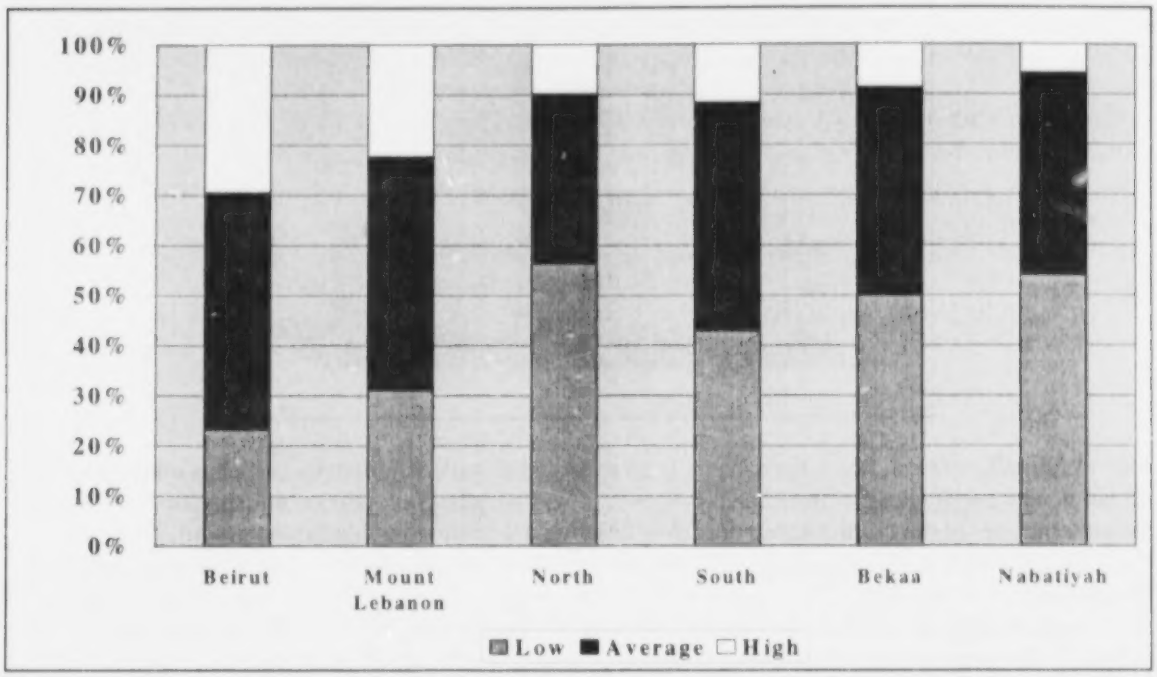


119. Within this overall breakdown, there is an appreciable regional disparity (which is a feature of the economic and social situation in Lebanon); there is evidently a high proportion of deprived children in the governorates of the North (where 56.4% of children are in the low satisfaction group), Nabatiyah (54.2%) and Bekaa (50%) in comparison with the national average, which is close to the percentage in the governorate of the South (42.9%), whereas the proportion of deprived children in the governorates of Mount Lebanon (31.1%) and Beirut (23.2%) is below the national average. This gives a clear picture of the geographical breakdown of child deprivation in outlying rural areas.

Breakdown of children by living standard and governorate (percentage of total children in the governorate)

Governorate	*Low*	*Average*	*High*	*Total*
Beirut	23.2	47.3	29.5	100
Mount Lebanon	31.1	46.6	22.4	100
North	56.3	33.8	9.8	100
South	42.9	45.5	11.6	100
Bekaa	50	41.4	8.7	100
Nabatiyah	54.3	40.5	5.8	100
Lebanon	42.3	42.1	10.6	100

Breakdown of children (aged under 18) by standard of living category and governorate

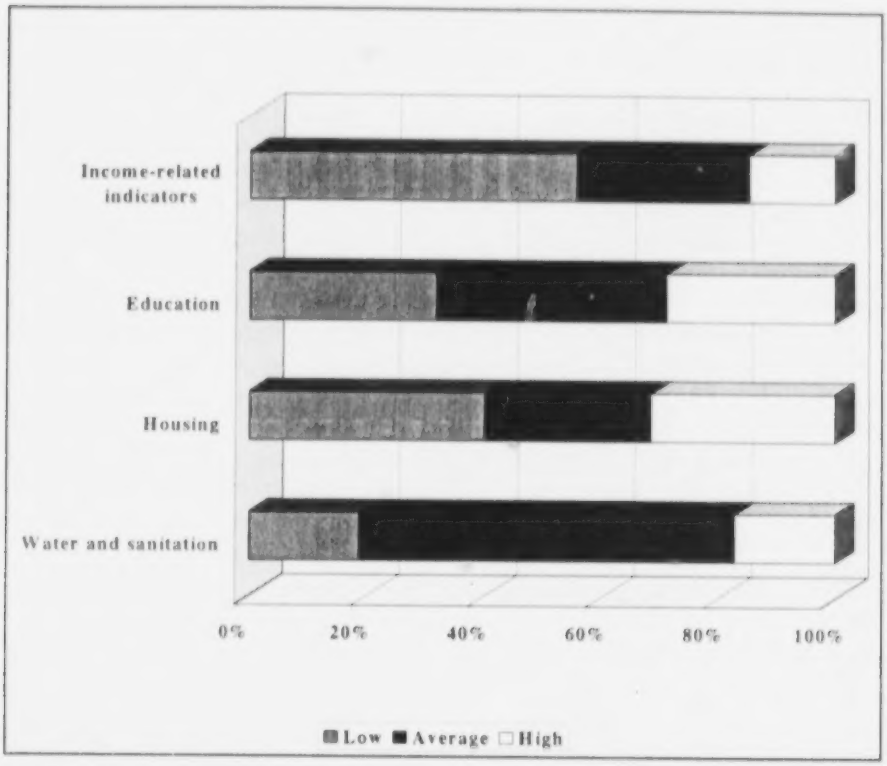


120. The information also shows that the proportions of deprived children vary according to field. For instance, the proportion of children who are considered to fall below the satisfaction threshold in regard to water and sanitation is the lowest, reaching no higher than 18.8%, in comparison with 64% of children whose needs in this area are moderately satisfied. The proportion of deprived children in regard to housing, however, is 40.1% and reaches its highest of 55.8% in regard to income indicators.

Breakdown of children by living standard and secondary areas (percentage of total children in Lebanon)

	Low	*Average*	*High*	*Total*
Water and sanitation	18.8	64	17.2	100
Housing	40.1	28.3	31.6	100
Education	34.9	42.7	31.6	100
Income-related indicators	55.8	29.5	14.7	100
General standard of living	42.3	42.1	15.6	100

Breakdown of children (aged under 18) by level of satisfaction in the four areas



121. As for the living standard of the subgroups divided by age, it is noticeable in general that the proportionate share of deprived children aged under six and of those in the 15-17 age group is lower than in the other age groups (6-14 years). This is attributable to the likelihood of children dropping out of school at these ages, to the poor state of the employment market and to extremely low wages. In absolute terms, these disparities are less significant than the regional disparities. They should, however, form the subject of an in-depth study aimed at identifying their extent and their causes.

Domestic breakdown of the three-year age groups by living standard (percentage of total children per age group)

Age in years	*Low*	*Average*	*High*	*Total*
0-2 ans	38	41,9	20,1	100
3-5 ans	41,4	41,1	17,5	100
6-8 ans	44	42,1	17,5	100
9-11 ans	44,9	42,1	13,8	100
12-14 ans	44,2	42,5	13,3	100
15-17 ans	40	42,9	17,1	100
0-17 ans	42,3	42,1	15,6	100

CHAPTER IV

POLICIES ON THE RIGHTS OF THE CHILD

4.1 Introduction

122. Together with international and national governmental and non-governmental organizations, States pledged their endeavour to carry into effect the rights of the child as now determined. The Convention on the Rights of the Child brings together these rights under a number of general headings, such as the right to survival, the right to protection, the right to development and the right to participation. Under each of these headings are various items which give concrete shape to that general pledge, covering areas such as child health, education, family life, employment, civil rights and procedures for civil protection.

123. These rights are linked to one another and to the overall environment within which society develops, since it is difficult to envisage the possibility of quantitatively and consistently advancing the status of children in a specific country other than within the context of an overall national policy or strategy that is part of a comprehensive national option favouring human-centred development.

4.2 Elements of the national strategy on childhood

124. Two prerequisites are indispensable to the adoption of a national policy (or strategy) on childhood:

(a) The first is the political will of the decision-makers to ensure that the question of furthering protection of the status of children is a priority of the State and of society;

(b) The second is the availability of scientific and practical information on the status of children, their problems and their needs.

125. Once these two prerequisites are satisfied, steps can be taken to formulate a general national strategy or policy on childhood which is marked by comprehensiveness and continuity and which contains the necessary ingredients for success. As such, there is an implicit need to:

- Set overall and final objectives;
- Set secondary objectives and categorize them by sector and field;
- Devise implementing plans of action comprising the priorities and time frames for achievement of the objectives;
- Ensure correlation between the secondary and the final objectives, as well as integration, simultaneity and progressive achievement of the secondary and sectoral objectives;
- Determine the responsible bodies, the means of implementation and the follow-up, monitoring and remedial mechanisms;
- Ensure the material, institutional and human resources needed for implementation.

126. In order to achieve consistency with the modern-day concepts of development, this type of strategy should be formulated in conjunction with all parties concerned with development, namely the Government and representatives of civil society and the private sector. The State in particular has an essential role to play in coordinating this effort and ensuring the requirements for its success, since the

private sector has little interest in this field and is unable to serve as the strongest link in view of its operating mechanisms and its own objectives. Similarly, despite the extremely important role which non-governmental organizations play in this field and which they should endeavour to establish and maintain, neither their institutional capabilities nor their coordination capacities are sufficient to enable then to assume the major role. The success of this strategy thus undoubtedly depends on full partnership between the governmental and non-governmental sectors and on the gradual success achieved in motivating the private sector to take an interest in this effort and provide material and institutional support.

4.3 Government policy on childhood

127. In September 1995, the Higher Council for Childhood drafted a document entitled "The National Plan of Action for the Survival, Protection and Development of Children in Lebanon". The only document on the subject issued by any governmental or non-governmental body, it distinctly represents the policy of both governmental and non-governmental sectors in the field of childhood. Such is the approach which the Higher Council for Childhood has adopted since its establishment with a view to coordinating the these two sectors.

128. This document, however, cannot be regarded as a national strategy on childhood in the sense referred to above.[1] As yet, Lebanon has no such strategy in place, although that fact does not exclude its ministries and official agencies from having subsidiary plans and programmes which address the rights of the child. Nor does it imply an absence of general and sectoral policies which have an impact on the status of children.

129. For these reasons, this chapter represents an attempt to examine the child-related components and policies in the different fields of government activity and survey the official and unofficial bodies and institutions concerned with this field. It also includes an analysis of the above-mentioned plan of the Higher Council for Childhood. In that light, it will endeavour to outline the practical features of the policy on childhood as contained in the policies and practices of the Government and of the non-governmental sector.

130. On another note, the direct connection between the status of children and general household living conditions has already been pointed out, together with the fact that the rights of the child are more highly guaranteed whenever greater attention is devoted to the social substance of growth plans and development projects. Consequently, and given that it is impossible to examine and analyse on an individual basis each of the child-related components contained in the various policies and programmes, the attention devoted to the social dimension in general will be regarded as an indicator of improvement in the status of children. On this basis, social spending will be analysed, as will projects which promote human and social development inasmuch as they create an environment which is conducive to the furtherance of child development. Any children's projects will be analysed separately.

4.4 Analysis of Government spending

131. Analysis of the general budget is regarded as an excellent indicator by which to examine government policies and approaches to social and economic issues. The general budget demonstrates the practical commitment of the Government to certain priorities and, as such, it constitutes a direct expression of its general and sectoral policies. The use of the budget to that end, however, is determined by a number of factors, two of which are particularly significant:

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[1] The substance of the national plan produced by the Ministry of Social Affairs and the Higher Council for Childhood will be analysed during the course of this chapter.

(a) The first is that the budget has been less significant as a means of Government intervention since implementation of the reconstruction programme began. This is because reconstruction spending and funding are separate from the general budget, which is now mainly confined to debt servicing, current expenditure and the payment of salaries to civil servants, with limited spending on equipment and investment. In this sense, an analysis of the general budget is insufficient to show the extent of government commitment to various issues. Consequently, an additional analysis of government spending through the reconstruction programme must also be made in order to compensate for that insufficiency.

(b) The second factor is related to the subject of the report (the status of children) in that the mass details needed in order to monitor spending on children are frequently unavailable. Initially, therefore, the budget and the spending on reconstruction will be analysed in terms of social spending, which has positive implications for enhancing the status of children. Other sections will devote special attention to the subject in cases where the availability of data so allows.

4.4.1 The general budget

132. In examining the breakdown of overall spending on the different budget items in the 1993-1998 budgets, it is clear that debt servicing alone constitutes over 40% of the total expenditure and that, as such, it is the major item. This situation has already been pointed out as a factor which is detrimental to the interests of children, given that the public debt burden is transferred from the present generations to the next.

133. In addition, the ministries which receive the highest share of the expenditure are generally those with the highest number of employees, thus explaining the high share received by the Ministry of National Defence and the Ministry of the Interior (which are responsible for the army and the internal security forces), as well as by the Ministry of National Education (which is responsible for the teachers in State schools). These are followed by the ministries which provide public services for citizens, in particular the Ministry of Public Health and the Ministry of Social Affairs. As already pointed out, the general budget is a budget of salaries (from the aspect of servicing the public debt). Consequently, a ministry's share in the total expenditure primarily reflects its share in the salaries of public sector employees more than it reflects its share in service or development projects (which is insignificant and applies only to the service ministries).

134. Generally speaking, the core social ministries which are directly or indirectly concerned with children are as follows: National Education, Youth and Sport; Public Health; Labour; Vocational and Technical Training; and Social Affairs. In the 1998 budget, the combined share of these ministries in the total estimated expenditure amounted to 11.6%, more than half of which constituted the share of the Ministry of Education (teacher salaries). In previous years (during the war), this percentage was even lower.

General budgets for the years 1993-1998 (per cent)

Item no.	*Item*	*1993* %	*1994* %	*1995* %	*1996* %	*1997* %	*1998* %
1	Office of the President of the Republic	0.1	0.1	0.1	0.0	0.0	0.0
2	National Assembly	1.1	0.1	0.7	0.5	0.6	0.5
3	Office of the President of the National Assembly	0.8	10.4	12.3	9.4	6.4	6.5
4	Ministry of Justice	0.4	0.4	0.5	0.4	0.5	0.5
5	Ministry for Foreign Affairs	1.3	1.7	1.4	1.2	1.2	1.2
6	Ministry of the Interior	5.8	5.7	5.7	4.8	5.4	4.6
7	Ministry of Finance	0.8	0.8	0.8	0.7	0.7	0.6
8	Ministry of Defence	14.0	13.4	11.8	10.2	11.5	10.2
9	Ministry of National Education, Youth and Sport	5.2	5.8	5.7	4.9	6.0	6.2
10	Ministry of Public Health	3.2	3.1	2.8	2.3	2.5	3.6
11	Ministry of Labour	0.0	0.0	0.0	0.0	0.1	0.1
12	Ministry of Information	0.2	0.3	1.4	0.2	0.3	0.3
13	Ministry of Public Works and Transport	3.2	4.4	4.2	3.3	2.3	1.7
14	Ministry of Agriculture	1.0	0.9	0.7	0.5	0.7	0.5
15	Ministry of Economy and Trade	0.3	0.1	0.1	0.1	0.1	0.1
16	Ministry of Posts and Telecommunications	0.3	0.2	0.3	0.2	0.2	0.2
17	Constitutional Council	0.0	0.0	0.0	0.0	0.0	0.0
18	Ministry of Electricity and Water Resources	1.1	0.8	1.2	0.9	2.2	1.2
19	Ministry of Tourism	0.1	0.4	0.3	0.1	0.2	0.1
20	Ministry of Oil	0.0	0.0	0.0	0.0	0.0	0.0
21	Ministry of Housing and Cooperatives	1.3	0.6	0.3	0.2	0.1	0.7
22	Ministry for the Affairs of Displaced Persons	0.1	0.2	0.1	0.1	0.1	0.1
23	Ministry of Municipal and Rural Affairs	0.4	0.5	0.3	0.1	0.0	0.0
24	Ministry of Vocational and Technical Training	0.4	0.6	0.7	0.5	0.6	0.4
25	Ministry of Social Affairs	1.1	1.3	1.2	1.4	1.5	1.3
26	Ministry of Emigrant Affairs	0.0	0.1	0.1	0.1	0.1	0.1
27	Ministry of Transport	1.8	0.6	1.9	1.5	1.4	1.4
28	Ministry of Culture and Higher Education	1.8	1.7	1.9	0.9	2.4	2.7
29	Ministry of Environment	0.0	0.2	0.1	0.1	0.1	0.1
30	Ministry of Industry	0.0	0.0	0.0	0.0	0.0	0.0
31	Debts payable	45.4	33.8	40.5	40.3	42.0	43.7
32	Budget reserve	1.4	11.2	2.9	15.0	10.7	11.3
	Total	100	100	100	100	100	100

135. The share of these ministries in the general expenditure is low. Between 1993 and 1998, however, there was an increase in the absolute values of the sums which they were allocated. The allocations made to the Ministry of Social Affairs, for example, increased from 34.6 billion Lebanese pounds in 1993 to 94.4 billion Lebanese pounds in 1998, while those made to the Ministry of Health

increased from 109.4 billion Lebanese pounds in 1993 to 455.6 Lebanese pounds in 1998. These allocations, however, were insufficient to fund the services required in accordance with the adopted policies. Moreover, a smaller percentage was allocated to children in particular (as will be discussed in the sections covering health care and analysing the services provided by the Ministry of Social Affairs).

Budgets of selected ministries in the years 1993-1998
(billions of Lebanese pounds)

	1993	*1994*	*1995*	*1996*	*1997*	*1998*
Ministry of the Interior	197.5	230.4	323.4	310.8	349.2	338.5
Ministry of Defence	476.3	539.6	665.4	658.6	738.1	750
Ministry of National Education, Youth and Sport	178.3	233.8	321.6	314.4	387.9	455.6
Ministry of Public Health	109.4	123.7	159.4	149.7	159.6	261.3
Ministry of Labour	1.4	1.4	0.2	2.4	3.8	4.4
Ministry of Housing and Cooperatives	42.7	25.9	17.2	13.4	3.7	53.6
Ministry for the Affairs of Displaced Persons	4.4	6.1	7.3	6.5	7.3	8.9
Ministry of Municipal and Rural Affairs	12.6	18.6	14.7	3.8	0.5	1
Ministry of Vocational and Technical Training	13.6	25.2	40	32.7	39.9	32.7
Ministry of Social Affairs	27.6	51.5	67.9	88.4	94.5	94.4
Ministry of Culture and Higher Education	59.9	70.2	105.1	60.6	153.8	195.4
Ministry of the Environment	1.4	7.5	8	6	5.5	5.3
Debts payable	1 542	1 358	2 278	2 600	2 700	3 200
General budget total	3 400	3 021	5 628	6 458	6 433	7 320

4.4.2 Spending on reconstruction

136. At the end of 1992, the Council for Reconstruction and Development was commissioned by the Government to draft a plan for reconstruction and economic revival. Subsequently expanded and amended, this plan is now known as the Reconstruction and Development Plan for the Year 2000. In the first version of this plan, $11.7 billion at 1992 rates was earmarked for government spending, most of which went into projects to repair the infrastructure damaged during the war and vital to relaunching the economy. Following its expansion, the total cost of the plan, including the various financial burdens and the cost of making up the general budget deficit, amounted to approximately $31 billion at current rates, to be spent during the period 1995-2007. The share of the social sectors in the original total of this expenditure amounted to about 25%. These included the sectors of education, youth and sport, vocational and technical training, higher education, health, social affairs, displaced persons and housing.[2]

137. In practice, this ambitious reconstruction programme is being implemented gradually on the basis of the financial resources available for the purpose. The Council for Reconstruction and Development issues regular reports on the progress of work and on the practical implementation of the programme

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[2] Features of sustainable human development in Lebanon, UNDP publications, Beirut, 1997.

which provide the main source of information for the analysis of government spending on reconstruction.

138. The report on the progress of work issued in January 1998 outlines the projects completed between the beginning of 1992 and the end of 1997 on the basis of the following four-point classification: basic infrastructure; social and economic sectors; public administration; and productive sectors and other services. The following table summarizes the progress of work in each of these areas:

Progress of work in regard to implementation of the reconstruction project (January 1992-December 1997)

Sector	*Total*		*Finished contracts*		*Unfinished contracts*		*Progress of work (%)*
	No.	*Amount*	*No.*	*Amount*	*No.*	*Amount*	
Electricity	47	1 281.0	28	372.3	19	908.8	43
Posts and telecommunications	88	622.4	83	138.0	5	484.4	79
Roads, motorways and public transport	86	376.2	45	81.3	41	294.9	42
Solid waste	25	217.8	17	46.8	8	171.0	54
Infrastructure	**246**	**2 497.4**	**173**	**638.4**	**73**	**1 859.1**	
Drinking water supply and sanitation	148	397.6	51	55.9	97	341.7	47
Education	446	422.9	380	96.7	66	326.3	24
Public health	68	118.2	24	3.3	44	114.9	36
Social affairs	17	3.1	13	1.6	2	0.4	
Environment	6	4.8	1	0.3	5	4.5	7
Housing and repatriation of displaced persons	15	4.2	14	2.5	1	1.7	90
Social and economic sectors	**700**	**950.8**	**483**	**160.3**	**215**	**789.5**	
Ports and airport	25	526.4	9	10.3	16	516.1	55
Government buildings	85	81.8	61	18.8	24	62.9	61
Public administration	**110**	**608.2**	**70**	**29.1**	**40**	**579**	
Agriculture and irrigation	42	39.1	27	14.1	15	25.1	31
Industry and oil	14	3.1	11	0.8	3	2.3	42
Project management and other forms of management	224	128.5	184	89.6	40	38.8	53
Productive sectors and other services	**280**	**170.7**	**222**	**104.5**	**58**	**66.2**	
Overall total	**1 336**	**4 227.1**	**948**	**932.3**	**386**	**3 293.8**	**48**

Source: Report on the progress of work - 1998, Council for Reconstruction and Development.

139. The table below shows that the share of the social and economic sectors amounts to 22.5% of the total planned expenditure on reconstruction and 17.2% of the total expenditure on finished projects, compared with 68.5% of the expenditure on basic infrastructure.

Share of the different sectors in the total expenditure on reconstruction (per cent)

Sector	*Complete*	*Under completion*	*Total*
Basic infrastructure	68.5	56.4	59.1
Social and economic sectors	17.2	24.0	22.5
Public administration	3.1	17.6	14.4
Productive sectors and other services	11.2	2.0	4.0
Total	100.0	100.0	100.0

Source: Report on the progress of work - 1998, Council for Reconstruction and Development.

140. Closer examination of the type projects implemented and their implications in regard to enhancing the status of children in Lebanon shows the following:

- Concerning water and sanitation, projects were implemented to renovate the grids and to increase access to drinking water in Beirut and the rural areas in the north and the Bekaa. Although children were not the target of these projects, they were nevertheless included in so far as they are members of the families targeted to receive access to safe water, which is one of the basic needs stipulated in the Convention on the Rights of the Child. Similarly, although the sanitation projects were not specifically targeted at children, they have positive repercussions on the environment, particularly in view of the noteworthy projects to establish plants for processing effluent before it flows into the sea.

- In the main, the educational projects comprise the renovation of 1,280 government secondary schools and the supply of laboratory apparatus and equipment to some of these schools. Such is the basic child-related aspect of these projects. The other projects implemented in this field are either connected with higher education or government-owned buildings, or are still in the initial stages of consideration or planning.

- The core projects carried out in the field of public health included the construction of nine health centres and three new government hospitals, all of which are in rural areas. This is expected to have a positive impact on the status of health care in general, including child health care.

- The projects implemented by the Ministry of Social Affairs are such as to contribute to studies and institutional development.

141. To summarize, the spending of 17.5% on social projects includes infrastructural work and renovation and equipment of the social sectors. The percentage would be lower, however, if the classification of items included under the heading of the social sector were more precise (for instance, should drinking water and sanitation be classified under the social sector, under services or under basic public facilities?). Moreover, with the exception of projects involving secondary schools, child-targeted projects in particular cannot be precisely defined, since they provide services for the groups between the ages of four or five and 18 years. Consequently, the spending on reconstruction has partially improved the overall picture of social spending in the general budget. It does not, however, alter the general conclusion that the share of social spending is still below the amount required in the circumstances of Lebanon, which continues to experience the social and economic effects of the war.

4.5 International assistance for children's programmes run by the non-governmental sector

142. Of the international assistance generally allocated to the non-governmental sector, the share earmarked for children showed a falling trend between 1994 and 1998, although the estimated share in 1998 was an improvement over the previous year.

Share of children's projects in the total amount of international assistance to the non-governmental sector[3]

Payments	*Target group: children*		*Subject of activity: children*		*Total*
	Amount in dollars	*Percentage of total*	*Amount in dollars*	*Percentage of total*	
1994	25 286 300	16	4 683 767	3.0	157 139 000
1995	20 364 855	9.5	4 593 587	2.2	212 268 000
1996	12 059 615	3.7	3 335 740	1.0	328 995 000
1997	15 074 586	6.5	1 775 149	0.8	230 606 000
1998 (estimated)	10 408 030	7.4	3 276 036	2.3	140 492 000

Source: UNDP

143. It is noteworthy that the interests of the non-governmental organizations active in the field of childhood are broad and decentralized, ranging from the provision of welfare services (various forms of assistance, nurseries and so on), preventive health care and recreation to follow-up of the implementation of laws which protect the rights of the child. Joint activities are also carried out by various federations and associations, particularly during national events and campaigns, within the cooperative framework of the Higher Council for Childhood, which acts as the coordinator between the government sector and international organizations.

144. In this context, particular reference should be made to the convening of the Children's Parliament in the National Assembly in 1996 and the press conference to follow up the recommendations of the Parliament during the following year, as well as the march in 1998 against child labour under the banner "From labour to education". These are all examples of the activities and follow-up which took place during the ensuing years.

Recommendations of the Children's Parliament of 18 August 1996[4]

145. The session of the Children's Parliament was held in the National Assembly and chaired by the President of the Assembly, Mr. Nabih Berri. A total of 133 children aged between 6 and 18 years of age attended. At the close of the session, the child participants held a press conference in which they announced recommendations to:

(i) Follow up implementation of the recommendations made at the session of the Children's Parliament in accordance with the provisions contained in the Convention on the Rights of the Child;

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[3] The source of this information is the data collected by UNDP in Beirut and used to publish an annual report entitled Cooperation for Development. It should be noted, however, that detailed and accurate information on the projects implemented is not always available. Accordingly, the two criteria used were projects of benefit to children and projects aimed at children in particular, as inferred from the title and content of the project.

[4] Children's Parliament, 1996, My right to change, Higher Council for Childhood, UNICEF and the Forum of Organizations for Children's Rights in Lebanon, published by the UNICEF Information Office, Beirut.

(ii) Call upon the executive and legislative authorities to ensure that social development projects give priority to the principle of the rights of the child and to the best interests of the child;

(iii) Emphasize the need to empower children to enjoy their rights to education, health and protection from all forms of exploitation;

(iv) Endeavour to combat all forms of violence against children and the infliction of mental or bodily harm on children, and introduce stricter penalties for offenders;

(v) Seek health and social security for children whose parents are not included under such security, and build hospitals in the remote areas of the country;

(vi) Endeavour to implement free and compulsory education at the primary stage and to create school places for all children;

(vii) Raise awareness of the dangers of toxic and chemical waste, environmental pollution and the effect of chemical pesticides on children's health;

(viii) Seek public parks and libraries, as well as children's playgrounds and clubs, and ensure that importance is attached in the curricula to the subjects of drawing, music and drama and to all recreational and extra-curricular activities;

(ix) Devote more attention to children's television programmes and provide educational programmes for children;

(x) Seek to resolve the problem of homeless children and child beggars, and to achieve their rehabilitation and social integration with a view to protecting them from the risk of deviancy;

(xi) Seek to transfer any delinquent children still in prison to reform centres and place them in rehabilitation programmes and under protective measures;

(xii) Seek to take care of disabled persons and to achieve their social integration;

(xiii) Seek to build refuges for the protection of children in the south;

(xiv) Emphasize the need to introduce the subject of child rights into the school curricula;

(xv) Emphasize the need to implement child-related laws;

(xvi) Establish a permanent Children's Parliament.

4.6 Bodies concerned with the drafting and implementation of a national strategy for childhood

146. In accordance with the modern-day approach to development adopted in this report, compliance with and implementation of the Convention on the Rights of the Child is the responsibility of society as a whole, which includes the Government, the private sector and the non-governmental sector. It is also the responsibility of national and local bodies. All in all, it is the integration of such roles and functions which guarantees achievement of the best results.

4.6.1 Responsibility of the private sector

147. It is now customary to avoid discussing the responsibility of the private sector in matters connected with human and social development in Lebanon and to confine the discussion to the responsibility of the Government or State and of the non-governmental sector. On this score, however, the private sector has an important role to play in Lebanon, particularly since the majority of government investment in infrastructural repair and in institutional and legislative development is specifically designed to spur the initiative of the private sector and lead it to assume a leading role in the anticipated growth process. An additional reason for the reciprocation of the private sector, which benefits from the wealth of society as a whole, is the concern to allocate some of its resources toward fulfilling a social role, which the country needs. In Lebanon specifically, the responsibility of the private sector is made greater by virtue of the fact that it plays a distinctively more vital role than the public and non-governmental sectors in more than one social field. It plays the most important role, for instance, in education, particularly pre-university education, which is relevant to the age group included in the definition of the child. It also plays the main role in the health sector, runs most of the nurseries operating in Lebanon and own four of the six television stations. The same applies to radio, the toy business and industry, children's cultural materials and so on.

148. The private sector runs these types of activities along the same principles as other activities. In other words, the first and last criterion is invariably rapid material gain, even if it means sacrificing some of the essential non-economic principles which apply in such cases.

149. On this basis, the participation of the private sector in formulating the national strategy on childhood helps it to make a substantial contribution that is consistent with the Convention on the Rights of the Child and with the interests of the country's children, without hindering the economic mechanisms of its activity. The responsibility of this sector can be determined at more than one level. For example:

- Mutual understanding should be reached concerning observation of the requirements to ensure that healthy conditions and an appropriate education are provided at reasonable cost in the nurseries and schools belonging to the private sector;

- More attention should be devoted to primary health care and prevention instead of focusing solely on therapeutic medicine and courses of treatment;

- The private media should assume more responsibility in respecting the rights of children in the programmes which they transmit and increase the quota of such programmes in the total transmission time;

- Toy manufacturers, businesses and advertisers should devote attention to the promotion of educational toys;

- The owners of large wealthy corporations should devote interest to establishing nurseries, playgrounds and recreational centres for the children of their worker;

- The private sector should refrain from breaching the child labour laws.

150. Such initiatives are always possible and the private sector can offer a modest contribution to furthering the process of development and enhancing the status of children by undertaking similar initiatives or lending its support to the initiatives of others. None the less, however large the contribution, it will not be greater than the multitude of benefits which this sector reaps from the huge government investment of the country's wealth with a view to further investment and profit.

4.6.2 Government bodies concerned with childhood

151. As a result of the expansion of child rights, a considerable number of ministries and government institutions are now directly or otherwise concerned with the subject. This section simply lists the main authorities in question, concentrating on their roles and areas of intervention, as the subject will be covered in more detail in other chapters and sections of the report.

152. In Lebanon, the main Government bodies and institutions concerned with children are as follows:

a) The Parliamentary Committee on the Rights of the Child

153. The Parliamentary Committee on the Rights of the Child was formed in 1991 in reaction to the increasing international interest in childhood and as a practical outcome of Lebanon's signature of the Convention on the Rights of the Child. This Committee is chaired by a member of Parliament and includes various deputies in its membership, in addition to a representative of UNICEF, the Secretary-General of the Higher Council for Childhood and various representatives of the non-governmental organizations working in the field of childhood. The main function of this Committee is to work on drafting the necessary legislation or on amending existing legislative acts with a view to implementing the Convention on the Rights of the Child. Its responsibilities also include adoption of the legislative and monitoring measures needed to guarantee implementation of and compliance with such laws. The Parliamentary Committee cooperates with the relevant ministries and with the non-governmental and private sectors in the interests of discharging its function. It has helped to bring about new laws and introduce amendments to existing laws. At the present time, it is endeavouring to amend the laws with a view to the imposition of heavier fines and penalties for offences and crimes against children. It is also drafting a bill to reduce the child entrance fees to tourist and cultural attractions to 50% of the normal fees and to introduce a special health card for children aged under five (as an initial step) that allows them free admission to hospital emergency departments in a medical emergency.

(b) The Ministry of Social Affairs

154. Established in 1993, the Ministry is responsible for drafting plans for development and social welfare and for following up their implementation. in addition to drafting such plans, it is also responsible for providing welfare services to needy groups of inhabitants, including impoverished families and individuals, orphans, disabled persons and juvenile delinquents, and for assisting women and housewives in particular. The Ministry provides these services either directly or with the support of the non-governmental organizations which offer such services. It also supervises the work of the Higher Council for Childhood, the National Committee for the Eradication of Illiteracy, the Standing Committee on Housing and the National Organization for the Disabled and has links with several projects aimed at the family in general or at women in particular. The child-related activities of the Ministry will be discussed in further detail in the sections to come.

(c) The Ministry of Education and the Ministry of Vocational and Technical Training

155. These two Ministries have essential responsibility for children, concerned as they are with providing a good education and preparing children for their productive roles, their social roles and citizenship. This aspect has been covered in another chapter of this report.

(d) The Ministry of Public Health

156. This Ministry is responsible for drafting and implementing the policy on health. Operating on the basis of its commitment to health care as a right of every citizen, it endeavours to ensure this right within the context of the available means and resources. Details of the situation in the health sector are also discussed in another chapter of this report. In the present context, it is sufficient to say that the

provision of care services and health protection for children is part of the Ministry's general responsibility.

(e) The Ministry of Labour

157. Its essential responsibilities are to regulate the labour market and ensure observance of the laws governing child labour. The Ministry has links with the National Employment Institution and has been commissioned to conduct studies on the labour market and draw up a recruitment policy on the basis of those studies. It is also charged with the provision of vocational guidance, training and retraining in various fields of specialization for young persons over the age of 15 years. In addition, it is responsible for the provision of work opportunities for job-seekers through its own employment offices. All of these matters are relevant to the rights of child workers.

(f) Other ministries

158. In performing their general functions, the activity of other ministries is of indirect relevance to children. The successful fulfilment of tasks by the Ministry of Environment, for example, provides a healthy environment for children and the implementation of housing projects improves their living conditions. The same applies to the Ministry of Justice and so on. In a report such as this, the scope for discussing such contributions is limited, although essential references to their roles will be made in the overall context, where necessary.

4.7 Child welfare as part of the activity of the Ministry of Social Affairs

159. Of all the ministries and government bodies, the Ministry of Social Affairs is the one most concerned with the status of children in Lebanon. Its area of concern includes aspects relating to the rights of the child and it carries out its tasks in a variety of forms, such as engaging in joint activities with other government bodies, carrying out supervision through its own bodies, which are relatively independent, and exercising direct responsibility for implementation.

160. In the first of these instances, the Ministry of Social Affairs participates with other ministries and official institutions in bodies which share responsibility for a specific child-related field. Examples are its participation with the Ministry of Labour and the National Employment Institution (inter alia) in following up the question of child employment, its participation in labour committees with the Ministry of Justice, the Parliamentary Committee on the Rights of the Child and others in following up the subject of child-related legislation and its joint work with the Ministry of Health in connection with health care services and so on. In these fields and related activities, the Ministry fulfils its role as a partner.

161. In the second instance, the Ministry is in charge of supervising a number of the national committees specializing in matters which are directly or indirectly related to children. One such committee is the Standing Committee on Housing, which is responsible for drawing up suitable policies on housing and family-related matters of inescapable relevance to children, including programmes for family planning, reproductive health and maternal and child health. Other committees include the Higher Council for Childhood (to be discussed in greater detail in due course), the National Organization for the Disabled and the National Committee for the Eradication of Illiteracy. Further examples of this instance are the Ministry's supervision of the design and implementation of the statistical survey on housing and population and related specialist studies and its joint responsibility with the Ministry of Health for the Lebanese survey of maternal and child health. The Ministry plays a key role in each of the above bodies, through which it follows up specialist or general matters in connection with the status of children.

162. The third instance involves the projects and services which the Ministry is responsible for carrying out, either directly or by means of contracts with the non-governmental sector. In particular, these include welfare services for children and for families in need of assistance. As will be discussed in some detail, the Ministry is the only official agency with responsibility in this regard.

163. The role of welfare is therefore central to the tasks of the Ministry of Social Affairs. Welfare is generally offered to needy families and those in difficult social circumstances (such as orphans, widows and disabled persons), as well as to the children in such families. As a social group, children can therefore be regarded as major beneficiaries of the general welfare activity of the Ministry of Social Affairs and of its specific child-related welfare activity.

164. The Ministry of Social Affairs comprises a number of different directorates and departments, whose mandates range from welfare and social development to planning, research and administrative work. This discussion, however, is confined to the pioneering work of the Directorate of Social Services, which is particularly relevant to families and children in particular.

165. With reference to the annual report on the Ministry's activities during 1996, which provide an example of its work, almost 3,000 persons were assisted during that year and the Ministry entered into contracts with 163 social welfare institutions in the different governorates. The groups of children included in the assistance provided are orphans, those in difficult social circumstances (poverty, family disintegration and so on), infants in families in need (the term "infants" includes illegitimate children and foundlings) and delinquents (welfare services are also provided for incapacitated persons and others). The breakdown of such services by governorate and region is as follows:

	Orphans	*Social cases*	*Infants*	*Delinquents*	*Total*	*Percentage*
Beirut	810	5 218	494	0	6 647	22.5
Mount Lebanon	999	11 466	280	50	12 920	43.6
North	258	3 071	137	50	3 541	12.0
Bekaa	150	2 315	75	0	2 540	8.6
South	256	3 691	280	0	4 227	14.3
Total	2 473	25 761	1 266	100	29 600	100.0
Percentage	8.4	87.0	4.3	0.3	100	

Source: Ministry of Social Affairs, annual report of 1996.

166. It is clear from examining this table that children in families who endure difficult living conditions constitute the overwhelming majority (87%) of those who benefited from assistance, compared with 8.4% of orphans, thus confirming the earlier conclusions drawn in regard to the deteriorating social conditions, their effect on family life and children in the family and the need for more wide-ranging assistance programmes, rather than programmes which are exclusively limited to groups with special needs. Another striking point is the uneven geographical distribution of the services provided, in which respect Mount Lebanon is in the forefront, followed by Beirut, the North and so on. We shall shortly return to this subject in view of its relationship with the extent of need in these areas.

167. In 1996, a total of 29,600 children in Lebanon benefited from assistance, representing some 6.3% of the total number of deprived children in the country (estimated at approximately 468,559) in accordance with the index or guide to living conditions referred to earlier in chapter III. It should be pointed out, however, that, the number of children in the most deprived group who are in need immediate welfare assistance is lower in comparison with other studies, ranging between one-fifth and

one-quarter of that figure.[5] In addition, the number of orphans benefiting from assistance stood at 2,473, representing 7.7% of the approximate number of children who live in families where the head of the household is widowed (amounting to 32,283 children).[6]

168. Concerning the regional distribution of the number of persons benefiting from assistance, it is noticeable that Beirut and Mount Lebanon have a much higher proportionate share of the total number of such persons compared with the theoretical number of deprived children who are eligible to benefit from these services. Accordingly, whereas the governorate of the North contains the largest number of deprived children, no more than 2.2% benefit from assistance. This figure is 3.2% in the Bekaa and 4.6% in the governorate of the South (the South and Nabatiyah combined), compared with 11.4% in Mount Lebanon and 25.5% in Beirut. Although it is possible that a percentage of children from all governorates are in welfare institutions in Beirut and Mount Lebanon, their numbers are too insignificant to account for this discrepancy.

Deprived children and children benefiting from assistance by region (number and percentage)

	Deprived children	*Children benefiting from assistance*	*Percentage of children benefiting from assistance*
Beirut	26 105	6 647	25.5
Mount Lebanon	113 027	12 920	11.4
North	158 187	3 541	2.2
Bekaa	79 342	2 540	3.2
South	91 898	4 227	4.6
Total	468 559	29 600	6.3

Source: Ministry of Social Affairs, annual reports of 1993 and 1996.

169. Concerning the growth and development of the Ministry's work to provide services for those in need, between 1993 and 1996, there was a reported increase in the number of children benefiting from assistance, amounting to 7,779 cases, or in other words, an increase of 35.6% compared with 1993.

Increase in the number of persons benefiting from assistance and percentages of cases between 1993 and 1996

	1993 (number)	*1996 (number)*	*1993 (per cent)*	*1996 (per cent)*
Orphans	1 713	2 473	7.9	8.4
Social cases	19 049	25 761	87.3	87.0
Infants	754	1 266	3.5	4.3
Delinquents	30	100	0.1	0.3
Beggars	275	0	1.3	0.0
Total	21 821	29 600	100	100

Source: Ministry of Social Affairs, annual reports of 1993 and 1996.

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[5] This estimate is based on the findings contained in Map of living conditions in Lebanon, op. cit.

[6] Statistical survey of population and housing, op. cit. The survey form contained no direct questions enabling conclusions to be drawn concerning the number of orphans. We have therefore deliberately calculated the number of children living in families where the head of the household is widowed. Although this is not exactly the same as orphanhood, it gives a rough idea of the number.

170. The rate of increase in the number of children benefiting from assistance between 1993 and 1996 (35.6%) is much lower than the rate of increase in the sums allocated to the Ministry in the general budget, amounting to 135.1%, whereas the Ministry's relative share in the general expenditure increased from 1.1% to 1.4% (in other words, at a rate of 27.3%). This implies that it is not enough to use the numerical increase in the allocated sums as an indicator of the progress achieved in child welfare, as this increase is absorbed by a number of different factors (including above all the overall increase in the cost of these services), which prevents a corresponding expansion in the services provided.

Change in the budgets and services of the Ministry of Social Affairs (1993 and 1996)

	1993	*1996*	*Increase*	*Percentage increase*
Number receiving assistance	21 821	29 600	7 779	35.6
Budget (billions of Lebanese pounds)	37.6	88.4	50.8	135.1
Share of the general budget	1.1%	1.4%	0.3	27.3

Source: General budgets and annual reports of the Ministry of Social Affairs.

171. In the main, the types of projects undertaken by the institutions contracted to the Ministry of Social Affairs involve health centres (63.1%) and, to a lesser extent, social centres (18.2%) and nurseries (15.9%). These projects represent the direct share of children in the activities of the non-governmental organizations which receive support from the Ministry through the contracts scheme (1996 figures, which have remained virtually unchanged since 1993).

Centres contracted to the Ministry of Social Affairs by type and governorate in 1996

	Social centres	*Health centres*	*Nurseries*	*Training centres*	*Service homes*	*Centres for the blind*	*Homes for the physically disabled*	*Vocational proficiency centres*	*Family planning centres*	*Total*
Beirut	2	6	5	1	0	1	0	0	0	15
Mount Lebanon	7	50	9	0	1	1	1	0	0	68
North	5	27	5	0	0	0	1	0	0	38
South	12	13	8	0	0	0	1	1	1	35
Bekaa	6	15	1	0	0	0	0	0	0	24
Total	32	111	28	1	1	2	3	1	1	176
%	18.2	63.1	15.9	0.6	0.6	1.1	1.7	0.6	0.6	100

Source: Ministry of Social Affairs, annual report of 1996.

172. Generally speaking, the child welfare services provided by the Ministry of Social Affairs are mainly educational (general education and vocational training) and related to the right of the child to education, followed by health and nutritional services (infants and families in need) relating to the right of the child to survival and healthy growth, and, thirdly, family assistance relating to the right of the child to live in a stable family environment that promotes his physical and mental development. Also provided are services for disabled children, which will be discussed elsewhere.

4.8 The Higher Council for Childhood and its national plan

173. In 1994, the Council of Ministers issued a decision authorizing the Minister of Social Affairs to form the Higher Council for Childhood as a symbol of the policy of the Ministry of Social Affairs aimed at unifying and coordinating the efforts of the official and non-governmental sectors.

174. The Council comprises 19 members (in addition to its Secretary-General), consisting of 10 representatives of the government sector, 8 representives of the non-governmental sector and one representative of UNICEF (on behalf of the international organizations working in the area of childhood). As already mentioned, the private sector is unrepresented on the Council. The lack of participation of the private sector is a recurring phenomenon in more than one development-related field and is attributable to its hitherto low involvement in social or development work. By contrast, however, the governmental and non-governmental sectors are evenly represented and the government representation includes each of the different ministries concerned with application of the Convention on the Rights of the Child. Hence, the Council is principally the appropriate place for national plans in this field to take shape.

175. Since its establishment, the Higher Council for Childhood has been responsible for addressing the requirements in regard to implementation of the Convention on the Rights of the Child and for organizing, or participating in the organization of, various types of information and awareness-raising activities, training and the preparation of reports for submission to international bodies.

176. Since 1995, the Higher Council for Childhood has been a member of the Supreme Technical Council for Arab Childhood Affairs of the League of Arab States, to which it transmitted the national plan for childhood welfare. It also regularly provides surveys and reports to the Children's Department of the League of Arab States.

177. The Higher Council for Childhood began work on preparing a legal study comparing the provisions of the Convention on the Rights of the Child with those contained in Lebanese legislation, legislation being regarded as the cornerstone of social action in connection with rights. On the basis of that study, it then submitted various proposals for the amendment of numerous Lebanese legal provisions with a view to achieving consistency with the principles stipulated in the Convention. It also played a part in the follow-up activities leading to the promulgation of new laws which are more in consistency with the Convention on the Rights of the Child.

178. In May 1996, the Committee on the Rights of the Child discussed the initial report transmitted by the Council in October 1994. The Council is also supervising the preparation of this report, which will be used to prepare the national strategy for children in Lebanon.

179. On the organizational front, the Higher Council for Childhood is in the process of finalizing its rules of procedure and developing its work mechanisms with a view to enhancing its ability to implement the tasks assigned to it.[7]

4.9 The National Plan of Action for the Survival, Protection and Development of Children

180. Since the very first months of its establishment, the Council has endeavoured to give material form to its ideas in regard to implementation of the Convention on the Rights of the Child by drafting an initial plan. Entitled the National Plan of Action for the Survival, Protection and Development of

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[7] During the preparation of this report, the Higher Council for Childhood held a series of meetings devoted to finalizing its draft rules of procedure, which include amendments that are particularly relevant to enhancing the representation of the non-governmental sector and setting work in motion. These amendments had not yet been finalized when the final draft of this report was completed.

Children, this draft was completed in 1995. At the time, however, the prerequisites needed for the materialization of a plan or strategy in the sense referred to at the beginning of this chapter remained unsatisfied. The Plan therefore took the form of reviewing the major problems facing children and the available indicators. It also set out objectives and recommendations on the basis of the Convention and sectoral programmes in fields such as health and education. The following table summarizes the general make-up of the Council's Plan.

The National Plan of Action for the Survival, Protection and Development of Children

Section/heading	*Summary of content*
1. Introduction	The introduction discusses the general international, regional and national framework at the economic and political levels, as well as the social impact on the status of children in particular. It specifically examines the Lebanese war and its destructive impact at various levels, including displacement and the overall deterioration of the standard of living. Finally, it concludes that the general law which prevailed in Lebanon during the difficult war years was that of the fight for survival and that it was consequently impossible to place overall or individual focus on the needs of mothers and children.
2. The status of children and mothers in Lebanon:	This section examines the data available on the status of children. Owing to the lack of statistics, however, the description is based on the statistics which were available at the time.
(a) Health and environment;	(a) Health and environment: Reference to the main problems, particularly in connection with child mortality rates, consanguineous marriage, water pollution, maternal and child health care, nutrition and so on. The Plan draws attention to the regional disparities.
(b) Education;	(b) Education and training: Reference to the outdated curricula, the lack of an appropriate educational policy, problems of teacher distribution, the poor link between education and work, the war damage inflicted on government schools, the lack of opportunities and spaces for children's play and for young people to pursue their interests and so on.
(c) Protection and rehabilitation.	(c) Protection and rehabilitation: Discussion of the psychological effects of the war on children and the problems of abandoned and orphan children, disability and so on.
3. The situation in the public sector in terms of services for mothers and children and its relationship with the Convention on the Rights of the Child	Here, general reference is made to the severe inadequacy of structures and institutions compared with requirements. This inadequacy occurs in both the non-governmental and government sectors. Due to the impact of the war, the government sector adapted its role in order to finance special initiatives in the field of educational and health services. This section also discusses the commitments of those Governments having signed the Convention in connection with implementing its provisions, which include the adoption of measures to alter priorities,

Section/heading	*Summary of content*
	conduct budget reviews, produce statistics, carry out monitoring, develop research and so on.
4. Data and indicators in the light of the objectives	This section simply contains a table of the available indicators of the status of mothers and children in comparison with the objectives for 1995 and 2000. Most of these indicators were unavailable during the preparation of the Plan.
5. The Plan of Action:	This section contains further discussion of the three subheadings contained in the second section from the point of view of the recommendations and overall objectives in each field.
(a) Health and environment;	(a) Health and environment: Discussion of the health objectives as derived from the Convention on the Rights of the Child (21 different recommendations and objectives).
(b) Education and training;	(b) Education and training: Discussion of the objectives of the plan for educational advancement in Lebanon (22 objectives).
(c) Protection and rehabilitation.	(c) Protection and rehabilitation: Discussion of 14 objectives and recommendations covering different fields relating to child protection.
6. Key constants in the methodology of planning and implementation: (a) Information and documentation; (b) Combating child employment; (c) Legislation: development, revitalization and follow-up.	This final section examines these three secondary fields (information, child employment and the development of legislation) in so far as they are priorities which should receive due attention.

181. A major obstacle to the preparation of a thoroughly comprehensive and integrated plan was the fact that the second essential prerequisite, referred to earlier, was unsatisfied. In other words, accurate scientific data and information on the social situation in general and the situation of children in particular was unavailable owing to the lack of national statistics and studies.

182. Those who prepared the plan of the Higher Council for Childhood were well aware of this gap, which limited the nature of the plan drawn up. In more than one instance, it is stated in the introduction to the Plan and in its conclusion that "field studies and scientific statistics are needed to ensure that the Plan corresponds to reality", at which point the Higher Council for Childhood will be able to draw up "its national plans for children, which are part of the process of the nation's social revival".[8] This was specifically linked to publication of the findings of the statistical survey of population and housing, which provides this vital information.

4.10 Summary

183. Article 4 of the Convention on the Rights of the Child provides as follows:

> "States Parties shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention. With regard to

[8] Ministry of Social Affairs, Higher Council for Childhood, National Plan for the Survival, Protection and Development of Children, September 1995.

economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international cooperation."

This article essentially deals with the need to formulate national plans or strategies for children, which is the subject covered by this chapter. In that connection, the international committees charged with elaborating general guidelines for the preparation of national reports emphasized the following points:[9]

- A comprehensive strategy should be formulated with a view to realizing the rights stipulated in the Convention on the Rights of the Child and national reports should indicate the steps achieved to that end;

- General budgets should be analysed with a view to enabling society and decision-makers to determine the share of children in both public and social spending, identify the measures adopted in order to coordinate economic and social policies and reduce regional and social disparities, and lastly, pinpoint the level of interest shown in children's affairs by local authorities;

- Permanent government mechanisms and frameworks should be established with a view to devoting attention to children's affairs and to coordination, follow-up and amendment of the plan in response to the changes and progress achieved in implementation;

- The necessary means and tools for monitoring and follow-up should be created, including those used in gathering and updating statistical information on a constant basis;

- The participation of representatives of civil society and children themselves in all matters relating to implementation of the Convention on the Rights of the Child should be guaranteed.

184. Consideration of the achievements which Lebanon has accomplished in connection with those points since its signature of the Convention shows the following:

(a) The need to devote more attention to the subject of the rights of the child was acknowledged for the first time and the first practical steps were also taken in that direction, as discussed in this and other chapters of this report. Even though these steps were neither sufficiently coordinated nor framed within a coherent plan, they were all consciously and intentionally included as part of the compliance with the requirements of the Convention on the Rights of the Child.

(b) In regard to analysis of the general budgets, the approach to the subject adopted in this chapter is extremely general and thus inadequate. Undoubtedly, the failure to analyse the social significance of public spending constitutes a considerable gap which impedes the formulation of appropriate social policies, both in the field of childhood and in general.

(c) A key issue concerns the attention devoted by local authorities to the status of children and the extent to which they assume direct responsibility for guaranteeing children's rights. Such attention is also indispensable as a prerequisite to shifting the focus away from the central and theoretical level of the matter and redirecting it to the places where children are present, as well as to the places where their rights are clearly exercised. In this respect, the absence of any elected municipalities in Lebanon since 1963 is a fundamental impediment to the transformation of development in general into a genuine local activity. The holding of municipal elections in 1998 was undeniably a great accomplishment in that it gave rise to hundreds of local bodies which are able to play a major role in ensuring enforcement of the rights of the child. It is not expected, however, that these municipalities will automatically and

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[9] Implementation handbook for the Convention on the Rights of the Child, op. cit.

immediately assume this role, as they need help in giving material shape to their development role, as well as time to organize their work. Nevertheless, their very existence is a crucial step forward, as they are the parties to which non-governmental organizations can turn and coordinate with in the interests of implementing projects aimed at enhancing the status of children.

(d) As for the creation of permanent government frameworks to devote attention to children, practical steps were taken to that end with the establishment of the Higher Council for Childhood, the Parliamentary Committee on the Rights of the Child and the committee which grew out of the conference on the situation of child labour in Lebanon. Constituted by a decree promulgated by the Minister of Labour, this committee includes representatives from the official and non-governmental sectors and aims to elaborate a strategy to combat child labour. It should be pointed out, however, that the status of children cannot be viewed in isolation from the status of society as a whole. The establishment of the Higher Council for Childhood is therefore inadequate on its own in view of the interplay between the status of children and general social and economic conditions, as already mentioned several times. In that sense, the failure to constitute the economic and social council, despite the agreement in principle to do so, is a considerable failing. The members of this council are to include representatives of parties concerned with children (children themselves or the Higher Council for Childhood) with a view to ensuring that the question of the rights of the child forms part of the wider concern and that the interests of children are taken into account during the formulation of general and sectoral policies alike.

(e) In regard to monitoring, follow-up and information-gathering, there is admittedly a general problem in Lebanon as far as the follow-up and monitoring mechanisms are concerned. More effort must be made to improve them, as the legislative enactments and laws very frequently encompass many rights which are not exercised in practice for reasons of custom or owing to the ineffectiveness of monitoring and follow-up. As for information-gathering, however, the previous situation in which virtually no national statistics were available has been overcome. The situation is now greatly improved in comparison with a few years ago and effective measures are being taken to ensure, inter alia, that systematic and regular information-gathering is carried out and enhanced on a constant basis.

CHAPTER V

THE RIGHT TO EDUCATION

Article 28

5.1 Compulsory education

185. In view of the evolving organization of society, the multitude of social institutions and social and technological development, the need for universal education became crucial to the life and continuity of society. These developments went hand in hand with the development of social and philosophical thinking, according to which the acquisition of knowledge continued to be regarded as an essential human right and not simply as a productive or economic need. It was in this context that the idea of compulsory education as the embodiment of this right or need emerged in the societies of today.

186. In each individual country, the prescribed limit for compulsory education is linked first to the level of scientific and technological development, secondly to the availability of resources and the potential to put compulsory education into practice, and thirdly to the philosophy of the social planning adopted by the State in determining its responsibility for guaranteeing that right. Compulsory education for all citizens inevitably implies that it is also free of charge, which depends primarily on the State's assumption of the main responsibility for providing basic educational services. It should be noted that the provision of basic educational services is a responsibility of the State in the overwhelming majority of countries, irrespective of the difference in the social philosophies adopted by those countries.

187. Lebanon has not strayed off this course, even if, prior to 1988, the word "compulsory" as an expression of the aforementioned right or need was not part of the official government language used in connection with education. Article 19 of the Legislative Decree No. 134 of 12 June 1959 concerning the Ministry of Education stipulates that: "Education shall be free in the first primary stage and is a right of every Lebanese person of school age". Article 5 of the same Decree, as amended by the Law of 14 May 1960, also stipulates that: "Pupils shall have free admission to State schools of all types and levels."[1]

188. At the time, these decrees constituted important steps in the process of strengthening State education in Lebanon, private education having already established a strong foothold in this vital area since the nineteenth century, in particular through foreign missions and educational institutions belonging to confessional groups. The measures taken by the Government to expand State education since the end of the 1950s were therefore in response to the urgent need to expand education throughout all regions of Lebanon and for all social groups, which can only occur through State education. It is worth noting that these measures formed part of the development policy pursued during the presidency of Fuad Shihab (1958-1964), who adopted the model of the welfare State as the guiding force behind the activity of the Government. Hence, the Government was committed, both in theory and in practice, to building State schools and expanding education in accordance with the principle of providing a school place for every pupil.

189. There was no legal requirement, however, for families to register their children in schools, as the idea of compulsory education was always deemed inconsistent with the liberal economic approach which the country followed and which distinguished it from the surrounding countries, all of which had embraced compulsory education in their laws. Laws alone, however, are not enough to guarantee universal education for all citizens unless all the other elements needed to turn compulsory education from a watchword into reality are present.

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[1] Dr. Yunis As'ad, Compulsory education worldwide and in Lebanon, Educational Centre for Research and Development, Beirut, 1997.

190. The 1990s brought elements of change to the government language in line with the national changes and the requirements for Lebanon's compliance arising from its signature of the Convention on the Rights of the Child. The term "compulsory education" thus became part of the official language, appearing first in the Charter of National Reconciliation in Taif and subsequently in the plan to revive and restructure education. An initial attempt to promulgate a compulsory education act occurred in 1992, when the Government tabled a bill in the National Assembly providing for compulsory education to the age of 11 and for the imposition of fines on guardians who infringed the law. The National Assembly, however, returned the bill to the Government for review in the light of the educational plans and strategies being elaborated and a review was duly carried out.

191. On 16 March 1998, Decree No. 686 was promulgated to make primary education compulsory and free. It contained a single article, as follows:

> "Article 49 of Legislative Decree No. 134/59 concerning the Ministry of Education shall be amended to read as follows:
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> "New article 49: Education shall be free and compulsory in the first primary stage and is a right of every Lebanese person of primary school age. The conditions for and organization of such free and compulsory education shall be determined by such decree as is adopted by the Council of Ministers.""

192. This law was simply a first step along the way to imposing compulsory basic education (to the age of 15 years) in accordance with the new structure. As the present time, education is compulsory at the first stage of basic education, known as primary education, and continues as previously designated (to the age of 12). This designated age, however, will be raised in due course when the new structure is in place.

193. Some matters are still undecided, such as the link between compulsory education (to the age of 12 full years) and the minimum age at which a child can be employed (13 full years). The same law also stated the need to determine the regulatory and executive conditions for carrying compulsory education into effect, including measures to encourage families to keep their children in school until the age specified as compulsory (such as helping those in need, improving the quality of education, linking education to the job market and so on) and the imposition of fines or penalties on those who breach the law.

5.2 Free education

194. In Lebanon, the interpretation of free education is extremely particular in view of the plural structure of its educational institutions. The activity of foreign missions in the field of education has already been mentioned and predated the establishment of the State of Greater Lebanon (1920) and national independence (1943) by many years. The Lebanese Constitution also provides for free education and for the right of confessional groups to establish their own educational institutions. In addition, the State plays a role by means of State education, which began expanding at the end of the 1950s.

195. The law also provides for free primary education by either of two methods: the first is through State schools and the second is through primary schools belonging to the private sector which receive financial support from the State through a budget allocation of the Ministry of Education for that purpose. Accordingly, the following types of educational institutions co-exist in the Lebanese education system:

(a) Official educational institutions: From kindergarten to university, these are State institutions which are free in principle (the pupil or student pays registration fees and sometimes other fees in addition).

(b) Private non-fee-paying institutions: These exist only at the primary stage. Set up by individuals or organizations, they are funded from the budget of the Ministry of Education on the basis of reports of the number of pupils registered in them. In these schools, the pupil pays registration fees and other miscellaneous costs which vary from school to school.

(c) Private fee-paying educational institutions: These cover all stages from kindergarten to university. Set up by individuals, organizations, confessional groups or foreign missions, the pupils or students in such institutions pay annual fees which are fixed by the administration concerned and vary from one institution to another. Extremely high standards are attained and they are regarded as elite schools and universities. The Government helps to meet part of the costs of education by awarding grants to civil and military employees in the public sector.

196. Free education is therefore provided mainly through State schools and through private non-fee-paying schools in the primary stage and only through State educational institutions in the other stages. The provision of free education is hindered by the varying standards of education in the three types of institution mentioned; following the years of war, this standard in State and private non-fee-paying education is generally lower than the standard in private fee-paying education. Families therefore make efforts to register their children in private education, which has the largest share of pupils in Lebanon; in the 1995/96 academic year, the figure stood at 56.1%, compared with 30.6% for State education and 13.4% for private non-fee-paying education.

Breakdown of pupils by education sector and stage
(per cent)

Education sector	Pre-primary	Primary	Intermediate	Secondary	Overall total
Government	17.1	29.0	39.7	41.6	30.6
Private non-fee-paying	16.5	22.2	-	-	13.4
Private fee-paying	66.4	48.7	60.3	58.4	56.1
Total	100	100	100	100	100

Source: Educational Centre for Research and Development, 1995/96.

197. It is clear from this table that the practical contribution of the government sector in ensuring opportunities for free education runs counter to the compulsory education imposed in the primary stage, as the share of the government sector increases in line with the educational stage and is at its lowest in the compulsory primary (and pre-primary) stage.

198. As for the cost of education, according to the study of household living conditions in 1997, the average estimated cost of schooling per child in Lebanon is 1,467 million Lebanese pounds. Education costs account for 13.1% of the monthly household expenditure and are the third most important item after food (33.9%) and accommodation and services (15.3%).[2]

199. In actual fact, education is not free, even for families who register their children in State schools or in private non-fee-paying schools. The cost of education in these schools is much lower than in private fee-paying schools, where the amounts involved are high. Nevertheless, it is scarcely free of

[2] Lebanese Republic, Central Statistics Department, Household Living Conditions in 1997, February 1998.

charge; the average cost per student in the different stages of State education is 421,000 Lebanese pounds annually.[3]

Student cost in State and private education by stage and type of cost (thousands of Lebanese pounds)

Educational stage	*Government*			*Private*		
	Other expenses	*Amount*	*Total*	*Amount*	*Other expenses*	*Total*
Pre-primary	142	144	287	1 299	298	1 597
Primary	160	111	271	942	381	1 323
Supplementary	222	134	356	1 101	465	1 566
Supplementary vocational	371	190	561	1 026	427	1 453
Secondary	317	180	497	1 442	560	1 779
Vocational secondary	515	254	769	1 194	585	4 289
University	633	218	851	3 250	1 039	4 289
Average	274	147	421	1 269	446	1 715

Source: Household living conditions in 1997.

5.3 Availability of education for all

200. Universal education depends not only on the establishment of the principles of compulsory and free education, but also on the provision of a sufficient number of schools, school places and equipment, teaching staff, adequate geographical distribution, academic success and other matters relating to education services. It also depends on the practical attitude adopted by the family on the basis of its own education, its adherence to the law, its economic resources and the priority which it affords to children's education in general or during specific periods of the family's economic cycle.

201. The above factors are important, as well as instrumental in the decision as to whether a child stays at school or leaves, either permanently in order to start work at an early age or temporarily in order to boost family productivity during agricultural seasons or in school holidays. In terms of supply and demand, the actual commitment to the pursuit of study is therefore measured by the school enrolment indicators, which give a true picture of the universality of education as a right or need for all, without exception.

202. According to the findings of the statistical Survey of Population and Housing, the situation in regard to the pursuit of study in the 0-17 age group is that 25,354 children between the ages of 6 and 18 never attended school, including 11,953 children between the ages of 6 and 11 who never attended primary school.[4] All of these children are considered to be deprived of their right to education, which provides a realistic idea of the extent of this problem in Lebanon.

203. The war led to an overall deterioration in the standard of education in State schools in particular. The resolve of the Lebanese to send their children to school nevertheless remained undeterred, despite the difficult circumstances, and the quantitative indicators of basic education, particularly enrolment rates, therefore retained high levels. Moreover, these rates showed an improvement over the rates recorded in the 1970s, before the war, a phenomenon which should come under close examination and study.

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[3] Ibid.

[4] Statistical Survey of Population and Housing, op. cit.

204. According to the statistical Survey of Population and Housing, the gross school enrolment rates for the primary, intermediate and secondary stages stood at 97.3%, 87.7% and 57.6% respectively, thus indicating the high rates of school enrolment in the primary stage and the palpable school drop-out rates in the intermediate and secondary stages. The net school enrolment rates in the three stages stood at 82.7%, 63.2% and 35.5% respectively, thus indicating the high rates of pupils who are required to repeat an academic year in the different stages, particularly during the intermediate and secondary stages.

205. The gross enrolment rate in primary schools is almost 100% for males and 99.9% for females. Apart from the fact that there are more males than females in the primary stage (the cause of which should be investigated), there is no discrimination against females in school enrolment. On the contrary, the number of females surpasses that of males in the intermediate and secondary stages of education, which can be explained by the fact that males leave school at an early age in order to work, whereas females continue studying to a later age. It is therefore possible to say that, in theory, males and females generally have equal access to educational opportunities, although the poor linkage between education and the job market means that, in practice, education is an activity of little benefit in terms of financial reward. The resulting implication is that, for male children in families in need of additional resources, work takes precedence over study. Great reservation should therefore be exercised in interpreting the fact that females outnumber males in the school enrolment rates as a conscious situation resulting from the conviction in women's rights.

Gross and net enrolment rates by stage and sex
(per cent)[5]

Stage	*Primary*		*Intermediate*		*Secondary*	
Enrolment rate	*Gross*	*Net*	*Gross*	*Net*	*Gross*	*Net*
Males	99.9	83.4	82.8	60.1	55.8	34.0
Females	94.8	82.0	93.1	66.5	59.5	37.1
Both sexes	97.4	82.7	87.8	63.2	57.6	35.5

Source: Statistical Survey of Population and Housing, 1996.

5.4 Equal educational opportunities

206. In common with all international conventions, the Convention on the Rights of the Child emphasizes fulfilment of the condition of equal opportunities for everyone in all fields, including education. In Lebanon, where the overall national rates of access to educational services are relatively high, the question of domestic variations in the educational sector is of more importance in identifying the areas of weakness to which attention should be devoted.

207. This section explores whether access to educational opportunities is equal or dissimilar on the basis of the following classifications: the equality (or disparity) between males and females, between geographical regions and between the different social groups of inhabitants.

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[5] These rates were calculated on the basis of data provided by the statistical Survey of Population and Housing in Lebanon. The gross enrolment rate is the percentage of pupils registered in a specific stage of education within the total number of inhabitants in the age group corresponding to that stage. The net enrolment rate is the percentage of pupils registered in a specific stage of education within the age group corresponding to that stage and within the total number of inhabitants in that same age group. In other words, the gross rate includes all those registered in a specific stage, whatever their age, whereas the net rate does not include those who are required to repeat an academic year or who are above the age of their class.

5.4.1 Equal educational opportunities for males and females

208. The findings of national surveys and the information held by the Ministry of Education and the Educational Centre for Research and Development consistently confirm that there is no negative discrimination against girls in regard to school enrolment. All the information indicates that not only are school enrolment rates virtually the same, but also that females outnumber males in terms of the absolute numbers of pupils, enrolment rates and the rates of pupils sitting and passing official examinations. The difference in favour of females is highest in the intermediate stage, followed by the secondary stage. This is explained by two factors:

(a) The first is a positive factor which indicates the general tendency in families to educate both their male and female children and avoid adopting an overly hostile attitude towards the education of girls, despite the stereotypical notion of family relationships which most heads of household continue to hold, particularly in remote areas of the country;

(b) The second is a negative factor which indicates the high school drop-out rate among males in the intermediate and secondary stages so that they can enter the job market. This is a situation which applies to males more than to females and points to a combination of elements at play, namely the vital need for resources, the lack of conviction in study as a valuable means of improving living standards and academic failure.

209. It is worth pointing out, however, that there is a connection between the preponderance of females over males and free education, as females outnumber males in State education in particular (and most of them are from low-income families). By contrast, there is a higher ratio of males to females in private fee-paying education (and the proportion of those from middle- and high-income families is appreciably higher than is the case in State education).[6] This suggests that males take preference over females when the family has to pay fees to educate their children. The high cost of education and the diminishing role of the State school may therefore result in the practice of discrimination against females, as well as breaches of the principle of equal educational opportunities for both sexes. This is a drawback in the current structure of the educational sector.

210. This conclusion is supported by the anecdotal evidence of social workers in the governmental and non-governmental sectors, as increasing instances of families in need who show a preference for educating boys are being reported in connection with the considerable rise in education costs. Although these scattered instances are not yet manifested in any of the indicators or statistical data, the anecdotal evidence of social workers in the field always forms a kind of early-warning mechanism which should be taken very seriously.

Percentage of females in the different stages of education by educational sector (1995/96)

	State	*Private non-fee-paying*	*Private fee-paying*	*Total*
Pre-primary	49.8	47.9	47.6	48
Primary	49.9	48	47	48.1
Intermediate	57.5	-	49.4	52.6
Secondary	58.4	-	49.7	53.3
Total	53.3	48	48.1	49.7

Source: Educational Centre for Research and Development, 1995/96.

[6] Ministry of Education and Fine Arts, Educational Centre for Research and Development, Primary statistics for the 1995/96 academic year.

5.4.2 Equal geographical opportunities

211. The regional variation shown in the indicators of development has, for decades, been a distinct feature of the pattern of Lebanese growth. Education-related indicators are just some of the many indicators of significant differences between central Lebanon, consisting of the governorates of Beirut and Mount Lebanon, and the other outlying governorates. These variations coincide with the division of these regions into rural and urban, notwithstanding the inaccuracy of such a division.

212. Generally speaking, the spread of the different types of educational institution varies according to region. Private fee-paying schools, particularly those offering a good quality education, are concentrated in Beirut and Mount Lebanon, whereas State schools are more widespread in the other governorates. On this score, however, the differences are diminishing, as private schools are expanding in the outlying regions and the demand for State schools to be opened in central Lebanon is increasing. The country's overall economic and social circumstances are therefore indivisible from some of the indicators of the improved performance of State education, as they are elemental in diminishing the differences in that regard.

213. There are also substantial regional disparities in the illiteracy and school enrolment rates, indicating a cumulative imbalance (illiteracy) and an actual imbalance (school enrolment) in the equality of opportunities among children as far as their right to education is concerned. The imbalance is therefore both social and regional at the same time. The difference in the illiteracy rate (aged 10 years and over) is approximately fourfold between Aley and Kasrawan (7.7% and 7.9%) and Akkar (30.5%), with even more acute differences in the case of female illiteracy. Similar but less acute differences are recorded in connection with school enrolment (the school enrolment rate for the 6-11 age group is lowest in Akkar, standing at 83.5%, and highest in Batrun, standing at 93.4%).[7]

Illiteracy rate by sex and governorate
(aged 10 years and over) (per cent)

	Males	*Females*	*Both sexes*
Beirut	6.2	12.2	9.3
Mount Lebanon	6.4	13.5	10.0
North	15.6	24.2	20.0
South	9.8	18.3	14.1
Bekaa	9.8	22.6	16.2
Nabatiyah	10.8	25.1	18.3
Lebanon	9.3	17.8	13.6

Source: Statistical Survey of Population and Housing, 1996.

5.4.3 Equal opportunities among social groups

214. The regional disparity indicated in the above section is also a form of social disparity for reasons relating to the historical genesis of the Lebanese social make-up. This section, however, employs direct and indirect indicators to compare the imbalance in the equal opportunities available to children in Lebanon in connection with the right to education that is due to the social circumstances of the family to which they belong. Study and analysis of the educational data shows the following:

[7] Statistical Survey of Population and Housing, op. cit.

1. Choice of school

215. Families are influenced in the choice of the school to which they send their children by a number of factors, such as geographical proximity and religious or confessional affiliation. The main factor, however, is the availability of the financial resources needed to pay for the education. Analytical studies indicate that State schools are essentially attended by pupils from impoverished and low-income groups, whereas the other groups of inhabitants gradually progress in their choice of school to the point where their income level is associated with the fee level in the top schools. A field study conducted in 1996 showed that 62% of the pupils in primary schools are from the grass-roots groups (such as artisans and labourers), compared with 42% in private non-fee-paying schools, whereas pupils from the middle and upper groups (businesspersons, civil servants, white-collar workers and members of the liberal professions) make up 8% of the pupils in the State sector, compared with 30% of the pupils in the private non-fee-paying sector.[8]

216. This difference in the type of school (State or private) produces tremendous inequality in regard to the opportunities available to the pupils from each. The elite private schools provide a better quality and standard of education and have facilities such as equipment, laboratories, up-to-date teaching materials, playgrounds and modern buildings. They also offer the opportunity to pursue cultural, sporting and art activities, as well as other prerogatives not available to pupils in State schools (other than in a few extremely rare cases). The different social origin of the child's family results in the choice (or imposition) of different educational paths as far as the type of school selected is concerned, which is both a result and cause of the widening inequality of opportunity among children in connection with the enjoyment of their right to education.

2. Academic attainment

217. The aforementioned study[9] also pointed to the disparity between groups in the results of the academic attainment of pupils, a difference of 18 percentage points having been recorded in the averages of successful pupils among children in the grass-roots groups on the one hand and the middle and upper groups on the other. The rates for pupils who are required to repeat an academic year also show a similar variation (of about 17 percentage points) between the two groups.

218. A similar study carried out by the Educational Centre for Research and Development[10] showed that the overall attainment of pupils in the fourth primary class in State schools stands at 50.4%, compared with 64.8% in private non-fee-paying schools and 77.1% in private fee-paying schools.[11] The same study found that the lowest levels of attainment occurred among the children of labourers and farmers, among families with a low educational attainment, as well as among children who travel long distances to school on foot (an indicator of the family's social level) and children who started school after the age of six (or, in other words, who had not attended kindergarten).

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[8] Dr. Al-Amin Adnan, "Social dimensions of public education in Lebanon", Review of Lebanese Studies, a quarterly review published by the Ministry of Information, No. 3/4, 1997. The above-mentioned study is unpublished and was designed and carried out by professors of the Faculty of Education in the Lebanese University: Al-Amin and others, "Attainment level of pupils in the fifth primary class", field study conducted in Beirut and its suburbs, September 1996.

[9] Ibid.

[10] "Study measuring the educational attainment of the fourth primary year in the 1994/95 academic year in Lebanon", Ministry of National Education, Youth and Sports, Beirut, 1996.

[11] Educational or academic attainment means the percentage of pupils who obtained the required pass average in the tests carried out in the context of the study measuring educational attainment.

3. Inequality in the pre-primary stage

219. The stage of kindergarten plays an extremely important role in the cognitive and mental development of a child during the first years of his life. The fact that the possibility of attending this stage is denied to children from the lower social groups, particularly those living in remote rural areas, is a major form of discrimination against them and ensures that they remain behind their more fortunate peers throughout their school lives.[12]

220. Although academic places are available on principle to everyone from the primary stage through to university, irrespective of the quality of the education provided, it is not the case in practice in the kindergarten stage in the State sector, as there are not enough kindergartens to cater for all children. Here, the contribution of the government sector is at its lowest (17.1%), while the contribution of the private fee-paying sector is at its highest (66.4%).

Breakdown by stage and sector of education

Education sector	*Pre-primary*	*Primary*	*Intermediate*	*Secondary*	*Overall total*
State	17.1	29.0	39.7	41.6	30.6
Free private	16.5	22.2	-	-	13.4
Private fee-paying	66.4	48.7	60.3	58.4	56.1
Total	100.0	100.0	100.0	100.0	100.0

Source: Centre for Educational Research and Development, primary statistics, 1994/95.

221. A more detailed examination also shows that the main contribution of the government sector to pre-primary education is made through one class only, namely the second kindergarten, whereas its share of the total number of children is smaller in the first kindergarten and much smaller still in the nursery class. The reason for the substantial increase in number in the second kindergarten is that, in practice, it is the first preparatory class in primary schools and the two classes are actually combined (the preparatory class is included when determining the age group corresponding to the primary stage from ages 6 to 11).

Number of children in the years of the pre-primary stage by education sector

	State	*Private non-fee-paying*	*Private fee-paying*	*Total*
Nursery	1 919	4 623	25 130	31 672
First kindergarten	9 648	10 039	40 103	59 790
Second kindergarten	16 318	12 153	42 884	71 355
Total	27 885	26 815	108 117	162 817

Source: Centre for Educational Research and Development, primary statistics, 1994/95.

4. Language of instruction

222. During the educational debate of the 1970s, the issue of the language of instruction was a basic focus of concern in that it is one of the most effective mechanisms for the social selection of pupils.

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[12] Low rates of educational attainment were recorded among children who had not attended kindergarten, compared with those who had done so. See "Study measuring the educational attainment of the fourth primary year in the 1994/95 academic year in Lebanon", op. cit.

Numerous studies have illustrated how the use of a foreign language (French or English) as the basic language of instruction for science and mathematics (in addition to the fact that the content of humanities subjects studied in a foreign language differs from the content of those studied in the Arabic language) constitutes a strong discriminatory mechanism against the majority of pupils enrolled in State schools in particular, whose social origins, as already stated, are well-known.

223. In the situation of Lebanon, the command of a foreign language is not simply a result of the educational process in schools. On the contrary, it is mainly the result of the family and social environment, which plays a decisive role in enabling the child to use a foreign language as a second or first language of conversation in the home and in the wider environment of relationships. The lack of such a possibility has a heavy and direct impact on academic attainment, on success or failure in school and on the vocational choices made after leaving school.

224. It has been empirically demonstrated that, in State schools, the level of attainment in the subject of French language at the primary stage is 32.1% compared with 56% in the subjects of Arabic language and proficiency, and 82% in science subjects, whereas the corresponding rates in private fee-paying schools are 94.6% for the French language, 82% for Arabic language and proficiency and 49.9% for science subjects.[13] This variation persists throughout the different stages of general (and university) education, as the pass methods in the present State examination system mean that State schools pupils with limited foreign language skills rely on developing their skills in mathematics and science and only attempt to obtain the minimum marks required in the foreign language subject in order to avoid failing the State certificate. As a result, the competition in this field between pupils in the State and private sectors is also unequal.

5.5 The problem of illiteracy

225. Illiteracy is the utmost form of denial of the right to education. Even though Lebanon is rated as one of the best Arab and developing countries in terms of its average reading and writing ability of its population, the problem of illiteracy is still experienced among the adult age groups in particular and less acutely so among children.

5.5.1 The general framework of illiteracy

226. In 1996, there were approximately 344,392 illiterate persons in Lebanon, representing 13.6% of the total population, broken down among the different regions and age groups. The largest number of illiterate persons are in the governorate of the North, followed by the governorate of Mount Lebanon (specifically in the northern and southern suburbs of the capital). These individuals, if not children, are fathers and mothers of children. Emancipating them from illiteracy therefore helps to improve the level of the child's family environment, particularly if the mothers are educated, which, as many studies have indicated, has a positive impact on a child's health, his attainment at school and his overall living conditions.

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[13] "Study measuring the educational attainment of the fourth primary year in the 1994/95 academic year in Lebanon", op. cit.

Breakdown of the numbers of illiterate persons by governorate

	Illiterate males	*Illiterate females*	*Total*
Beirut	10 360	22 405	32 765
Mount Lebanon	30 143	65 322	95 465
North	39 966	63 901	103 868
South	10 611	20 609	31 220
Bekaa	15 730	35 770	51 500
Nabatiyah	8 303	21 272	29 575
Lebanon	115 113	229 279	344 392

Source: Statistical Survey of Population and Housing, 1996.

227. The breakdown of illiterate persons by age shows that the problem has started to diminish appreciably in recent years, despite the war which raged in Lebanon between 1975 and 1990 and despite its failure to thwart the resolve of the Lebanese to overcome the situation and continue sending their children to school. The following table shows that the problem is particularly concentrated in the adult age groups, with women in particular faring less well, whereas the overall illiteracy rates and differences between males and females in the younger age groups are small.

Illiteracy rates by sex and age group

Age group	*Percentage of female illiteracy*	*Percentage of male illiteracy*
10-14	2.2	2.0
15-19	3.6	3.6
20-24	4.8	4.1
25-29	7.0	4.6
30-34	8.5	5.5
35-39	11.5	5.8
40-44	16.8	6.9
45 and over	46.0	22.1
All groups	17.8	9.3

Source: Statistical Survey of Population and Housing, 1996.

5.5.2 Illiteracy among children

228. The learning requirements of the present generation differ from those of the previous generations. Consequently, when used to gauge the standard of knowledge among the different generations, the concept of simple illiteracy (the inability to read and write) cushions the extent of the problem in the case of the current generation, which has greater demands imposed on it by modern-day life. Countries which have crossed the threshold to satisfy the most basic essentials of life now employ the concept of functional illiteracy, which assumes a knowledge of the basics needed for day-to-day living in the home and at work.

229. It would be more appropriate to employ the concept of functional illiteracy in modern-day Lebanon, which has made good strides forward in terms of the basic quantitative indicators of learning and in economic and social development. As this measure is unavailable, however, the indicator used is still that of simple illiteracy, or in other words, ignorance of the principles of reading and writing.

230. Returning to the phenomenon of illiteracy among children in Lebanon, it consists of three components, although there is some degree of latitude. These are illiterates in the 10-17 age group; semi-illiterates in the 10-17 age group who can read and write only; and children in the 6-9 age group who are not enrolled in school.

231. The total number of illiterate children (in the 10-17 age group) stands at 14,247, constituting 4.1% of the total number of illiterates in Lebanon, while the total number of semi-illiterates in the same age group stands at 16,904. In other words, a total of 13,151 children should be targeted by literacy programmes. The school enrolment status of some 11,184 children aged under 10 who are not enrolled in school should be followed up, as it constitutes a fairly substantial group in terms of numbers.

232. In addition, the breakdown of illiterate and semi-illiterate children by individual age and their proportions among all children of a specific age indicates that these proportions rise in line with age. Accordingly, whereas the proportion of illiterates and semi-illiterates is no more than 2.5% of the total number of children aged 10, their proportion is over 9% of the total number of children aged 16 and 17. It is also striking that the proportion of illiterates, as well as their absolute number, is greater than that of semi-illiterates aged between 10 and 12, whereas the situation is reversed in the case of those aged between 13 and 17. These are indicators of increasing rates of early drop-out from school (before completion of the primary stage).

Illiterate and semi-illiterate children

Age	*Illiterate*	*Able to read and write*	*Percentage of illiterates*	*Percentage of semi-illiterates*	*Percentage of illiterates and semi-illiterates*
10	1 122	517	1.7	0.8	2.0
11	1 036	714	1.6	1.1	2.7
12	1 600	1 165	2.4	1.8	4.2
13	1 629	1 753	2.5	2.7	5.1
14	1 901	2 572	2.8	2.8	6.6
15	1 995	2 974	3.1	4.6	7.6
16	2 553	2 759	3.8	5.8	9.6
17	2 411	3 349	3.8	5.3	9.1
10-17	14 247	16 904	2.7	3.2	5.9

Source: Statistical Survey of Population and Housing, 1996.

5.5.3 Literacy programmes

233. Lebanon has taken no chronological measurements and uses standardized or similar methodologies that enable the decision-makers to monitor accurately the development of illiteracy and to forecast the trend in that development, having first redefined it in line with modern-day requirements, the country's needs and the expectations of inhabitants. The general conclusion to be drawn from the above discussion and from indicators calculated in different ways over different periods of time is that illiteracy is generally on the decline, although wide variations between different regions and social groups are also indicated. Consequently, and on the basis of various field observations, in the event that the current trends in the performance of the education system continue, in particular the high rates of school drop-out in favour of child employment, along with the high cost of education, especially private school fees, and the limited intake capacity of State schools, it can be predicted that the phenomenon of illiteracy and semi-illiteracy among children, both as an absolute number and as percentages of the overall age group, will worsen.

234. Steps are currently under way to improve the performance of the education system in order to avert this problem and even provide a radical solution (the promulgation of the Compulsory Education Act, the introduction of a new education structure, the renovation of State schools, the commitment to increase their share of total pupils and the adoption of a blueprint for schools). Generally speaking, however, the problem of illiteracy among children as it currently stands will not be automatically eliminated without effective programmed inputs. The non-governmental and government sectors are both helping to address this problem by means of literacy programmes targeted at children, particularly working children among whom there is a high rate of illiterates and semi-illiterates. The action taken, however, still fails to measure up to the true size of the problem.

235. In regard to the Higher Council for Childhood, on 19 January 1995, the Council of Ministers promulgated a decree establishing the National Committee for Literacy and Adult Education, with the Director-General of the Ministry of Social Affairs as its chairman and representatives of the different ministries and the non-governmental sector as its membership. This is undoubtedly a move in the right direction which emphasizes the responsibility shared by the Government and society in addressing a problem of this kind. Work, however, is still in its preparatory stages and the measures achieved remain extremely modest and include the following in particular:

- In 1995, a training course was run for 18 literacy teachers in conjunction with the American Children's Relief Federation;

- In 1996, a course on functional literacy in the workplace was run for 36 illiterate children aged between 10 and 19 years who work in the furniture industry. This was a pilot course which formed part of the programme to educate young workers and was run in conjunction with the non-governmental organizations involved in civil work in the North, the trade union for owners of furniture and carpentry shops in Tripoli and the Friedrich Ebert Institution.

- In its programmes for the subsequent years, the Committee devoted attention to setting regional priorities for intervention in the most deprived districts and to running an instructor training programme. Service centres belonging to the Ministry of Social Affairs and non-governmental organizations are used to implement these programmes (and at the time of writing, literacy courses in the service centres belonging to the Ministry of Social Affairs in the different regions are being announced).

5.6 The substance of education and teaching methods

236. The Convention on the Rights of the Child attaches great importance to the substance of the teaching process and its consistency with scientific development, human rights and the rights of the

child. It also attaches importance to the administrative methods employed in educational institutions and to the relationships between the administration, the teacher and the pupil, as well as to the scope allowed for pupils to express their opinions and participate in school life. In the Convention on the Rights of the Child, these issues are covered under article 29, as well as under article 28.

Article 29

5.6.1 Performance of the educational system and the new structure

237. Whereas the preceding sections deal with the quantitative aspects in regard to right of the child to education, the present sections deal with the quality of the education received by the child and the methods employed to that end. The education structure and curricula are now outmoded, dating back as they do to 1968 or to amendments adopted in 1971. Owing to the outbreak of war in Lebanon in 1975, these curricula continued to be used for 25 or 30 years during which tumultuous development occurred in the fields of science, technology and educational methods. As a result, the educational content clearly fell behind the times and failed to keep pace with the interests of pupils, to whom countless avenues of knowledge were opened up through the media, computers and the internet. Some private educational establishments kept a degree of pace with this development by adopting modern methods of education and up-to-date curricula. Education in general, however, particularly State education, remains conventional in both its content and its methods.

238. This situation is reflected in the performance of the education system, particularly in the academic failure rates, which range between 25 and 30%, and the rates of pupils who are required to repeat an academic year, which range between 33 and 66% of all pupils. It is also reflected in the high rate of drop-outs, which, in the early 1980s, stood at 240 drop-outs from the primary stage for every 1,000 pupils entering the first primary class, 247 from the intermediate stage and 223 from the secondary stage. Only 190 pupils therefore remained out of an original 1,000 in the third secondary class.[14]

Rates of failure and pupils repeating an academic year in 1993/94 (per cent)

Education stage	*Failure rate*	*Rate of pupils repeating an academic year*
Primary	33	33
Intermediate	25	66
Secondary	25	66

Source: "The new structure of education in Lebanon", Educational Centre for Research and Development.

239. In general, the current structure suffers from confusion as far as determining the stages of education is concerned, as well as from the imbalance between general and vocational education and from the failure to integrate the various stages and paths. The teaching materials are outdated and the teaching and assessment methods are conventional, as they focus on inculcation and dictation, thus precluding the pupil from participating in the learning process and in his wider environment. On the basis of this appraisal, principles were elaborated for the new structure of education, which endeavours to fill these gaps in order to ensure that pupils receive a varied education that is also modern in content. It also endeavours to ensure that the shift is made to modern educational methods which emphasize participation, creativity, a critical sense and an open attitude towards national and international cultures.

[14] Ministry of National Education, Youth and Sports, Centre for Educational Research and Development, "The new structure of education in Lebanon", Beirut, 1995.

240. The new structure was approved in 1995 and it is now being implemented on a gradual basis. Its full implementation, however, is not expected for another three or four years. On the basis of its objectives and substance, this structure can be said to constitute a further step along the road to modernizing the education process in line with the needs of the country and its children and in conformity with articles 28 and 29 of the Convention on the Rights of the Child.

Comparison of the main features of the current and new structures

	Current structure	*Proposed structure*
Date of issue	*1968 and 1971*	*1995*
Overall goals and objectives	Has no overall goals, only an outline of particular goals for each educational stage.	Develops the personality of the Lebanese as an individual, As a fitting member of a free and democratic society and as a civil citizen who abides by the law; Shows a commitment to national culture and the essential importance of an open attitude to international cultures; Emphasizes the constitutional principles concerning the identity of Lebanon, its democratic system and the freedom of education, particularly the right of confessional groups to establish their own schools; Emphasizes the sovereignty of the law, respect for individual and collective freedoms, participation in social and political action and continuous development of the curricula.
Educational content	Generally theoretical in nature (90% of the time in the primary stage); Emphasizes the quantitative accumulation of information rather than a qualitative choice that is unsuited to the social needs of the individual and the employment market; Fails to keep pace with scientific progress; Lacks artistic, technical and aesthetic variety.	Maintains a balance between theoretical subjects and practical applications and the development of skills, knowledge and behaviour.
Teaching methods	Inculcation and dictation with the teacher as the focal point; Individual working method and no attention paid to developing the skills of cooperation in a team.	Fosters the critical sense in pupils, as well as a spirit of initiative and innovation; Trains the pupil to work as part of a team;
Educational methods	Mainly confined to the written word and excludes any sophisticated educational methods.	Updates school textbooks and employs modern teaching materials.
Assessment methods	Focuses on the learning and repetition of information with no practical or creative input; Does not use modern scientific criteria; Concern with official examinations is paramount.	Uses modern methods to assess the pupil and the teaching methods themselves;

	Current structure	*Proposed structure*
Date of issue	***1968 and 1971***	***1995***
Educational and vocational guidance	Unavailable in the curricula in the different stages of education.	Attention is devoted to educational guidance and vocational knowledge, particularly in the intermediate and secondary stages, in order to help the pupil to chose the overall educational or vocational path most suited to his interests and capabilities.
Variety of education	The education is lacking in variety. In particular, it does not cover occupational and vital needs (environment, skills, health education and so on), thus diminishing its effectiveness in practice.	The curricula is varied, either by opening up new specialist fields or by integrating different subjects in the curricula; The subject of human rights in general and the rights of children and mothers in particular are added to the new educational curriculum.
Appropriateness and integration	The education lacks integration and is inappropriate, particularly in the secondary stage. It is ineffective as preparation for university or for admission to the job market.	New stages of education are proposed, as well as formal, informal, general and vocational specializations and paths, taking into account the requirements of integration and the possibility of moving naturally from one path to another.
Technology in education	There is virtually no familiarity with technology.	Subjects are added with a view to familiarizing pupils with the modern technologies in the new curricula.
School and the environment	The substance of the curricula and the environment of the pupil are split; Schools are closed down and no advantage is taken of the potential which the surrounding environment offers for different activities to take place.	Emphasis is placed on modern-day curricula that harmonize with the environment; Emphasis is placed on extra-curricular activities and on interaction with the social environment as part of the educational process in school.

Source: "The new structure of education in Lebanon", Educational Centre for Research and Development.

5.6.2 Modern administration and the participation of pupils in school life

241. In Lebanese schools, widely varying administration systems exist side by side, ranging from the authoritarian and patriarchal type of system where participation is virtually non-existent to the type of dialogue-based system which allows the pupils themselves to participate in certain aspects of the educational process.

242. In the State sector, the school administration is based on a hierarchy of administrative positions of authority, from the principal, to the administrator, to the class teacher to the pupil, who is at the lowest end of the scale. Administrative relationships in general are dominated by a traditional mentality which remains undiminished unless by the particular cultural background of the principal and the individual members of the teaching staff, as they can influence the way in which the school is run. Internal school rules make no provision for true forms of participation by pupils other than the system in secondary schools, adopted during the first half of the 1970s under the influence the growing student movement, whereby pupils are elected to student leagues. This system, however, came to a halt with the outbreak of war in 1975. The texts now in force are purely administrative in character and provide for the extremely limited participation of teachers and pupils in certain activities and committees. Generally speaking, however, these texts are not put into practice in schools. The internal rules in primary, intermediate and secondary schools provide for the establishment of three types of council (which exclude pupil participation), namely the council of teachers, the council of coordinators and the council for order and guidance. The latter is the only one of these councils to have its spheres of competence determined by regulation, whereas the text relating to the other two councils, and the parent council, is extremely general.

Articles of the internal regulations of primary, intermediate and secondary schools [15]

Articles which motivate participation	Conventional administrative articles
Teachers of subjects which require practical explanation must accompany their pupils to the places which they wish to visit after obtaining the written consent of guardians a/; School activity councils shall consist of teachers and pupils, and talented, skilled and competent individuals shall participate in them b/; Pupils shall effectively participate in an extra-curricular activity a/; The following committees shall be established in the school: the council of teachers, the council of coordinators, the council for order and guidance and the parent council a/ and b/; It shall be prohibited for any person employed in education to dispense physical punishment to pupils or to discipline them through verbal abuse inimical to education and personal dignity a/ and b/.	The council of teachers shall convene once at the beginning of the year at the invitation of the principal or one-third of the teachers. The council of coordinators shall convene at the invitation of the principal or two coordinators a/ and b/; Any parent council established shall comprise guardians of secondary school pupils in accordance with special regulations (the establishment of such a council is not obligatory) b/; The instructions of the administration shall be applied in regard to orderliness and external form; It shall be prohibited to: - Disseminate among pupils the principles of party political organizations or to manifest party leanings in secondary schools; - Participate in or incite demonstrations or strikes; - Sell lottery tickets or tickets to events or carry and distribute leaflets, newspapers and magazines.

a/ From the internal regulations of secondary schools.
b/ From the internal regulations of primary and supplementary schools.

243. In addition, the internal school regulations contain no provisions governing cultural and art activities in schools. A substantial number of circulars and decrees are, however, promulgated in connection with these activities, such as the establishment of groups of national education scouts in State schools, the placement of school buildings at their disposal, including after official working hours, under the supervision of a school teacher, participation in cultural, art and sports competitions and so on. The performance of such activities in practice, however, is dependant on the satisfaction of various conditions, primarily that the school building should be equipped for the purpose in question and secondly that the school principal should demonstrate a willingness to embark on such activities. Accordingly, the situation in State schools varies widely in accordance with the willingness demonstrated by the administration.

[15] Internal regulations of State secondary schools, Decree No. 590, 19 June 1974, and internal regulations of State primary and supplementary schools, Decree No. 820, 5 September 1968.

Decree No. 33/M/97 promulgated by the Minister of Education on 10 April 1978	Circular No. 63 of 12 June 1997 promulgated by the Director of Secondary Education
Article 1: All principals of State secondary, intermediate and primary schools shall be required to establish scout units in the various fields and branches of specialization of national education scouts and to facilitate the task of the negotiators. *Article 2*: The necessary headquarters shall be provided for the scout unit, which must receive encouragement and material support from the school fund. School halls and playgrounds shall also be placed at the disposal of the unit, both during and outside official working hours, under the responsibility of the person leading the activity.	IV. Having sought the views of the concerned members of the teaching staff, principals of secondary schools shall determine the extra-curricular activities which the person concerned should carry out during the non-contact hours to which he is entitled by law. In particular, such activities should enhance the method and standard of education, as well as help to ensure that secondary schools serve as centres where a wide range of educational, cultural and social activities take place (such as poetry and prose competitions, science , crafts and art exhibitions, plays and shows staged by dance troupes and by singing and recital groups).

244. The situation is frequently better in private schools, particularly where activities are concerned, as the school buildings are well equipped and the administrations tend to encourage different types of activity. It is more difficult and less acceptable, however, for the pupils to participate in the life of the school. The different levels of participation in private schools has not yet been explored, although in some cases there are indications of a high degree of participation, which has a positive impact on life in the school and on the pupils themselves. Examples include schools which organize annual elections for pupil representatives of each class who are authorized to sit on the form council, which discusses the academic progress of individuals pupils each term, as well as on the council of the institution itself, alongside the representatives of parents, teachers and the administration. The written regulations of such schools oblige the representatives to inform their fellow pupils of the progress of the discussions in the bodies in which they participate.[16]

[16] Internal regulations of the French Secular Mission School in Tripoli.

Personal account of Ziyad (aged 15)	The school contract[17] Pupil participation in the life of the institution
I went to two private schools and felt a big difference between them. In the school I'm at now, the pupils have some freedom and the administration allows them to participate in making decisions which affect pupils. At the beginning of each year, every class in the supplementary and secondary stages holds elections to choose two individuals to represent them on the form council, together with the principal, the stage officer and teachers. The council meets at the end of every term to discuss the position of each pupil, determine his marks and decide whether he has passed or failed and whether he should specialize in literature or science. The representatives tell us our assessment and marks, as well as any comments made by teachers about our individual work. There was no similar kind of participation in the school I went to before. I was therefore surprised when I moved to my present school. Everything seemed different and I felt that I was treated as a thinking human being. My self-confidence grew much stronger and I learnt to take on responsibility and make my own decisions.	This participation is achieved directly by virtue of pupil attendance of the school and the type of relationships established between pupils and the school. It is also achieved indirectly through the pupil representatives, who have the right to take part in: - The class council; - The council of representatives; - The council and standing committees of the institution. Representatives are to form the link between their fellow pupils and the school's team of teachers. They must also take part in running the fund of the school's social and educational association and state their views on all aspects of school life. In addition, they must inform their fellow pupils of any steps which they take while fulfilling their role as representatives.

A successful experiment: The health education programme in State schools[18]

245. The programme comprises a number of components:

- Health education;
- Health services;
- Care of the school environment;
- Mobilizing the relationship with the family and civil society;
- Helping the pupil to acquire vital health knowledge, as well as healthy habits and behaviour, thus enabling him to improve his own standard of health, as well as that of his family, and become a messenger of health in his environment.

246. The programme is restricted to the primary stage. During the first and second years, the subjects are confined to personal hygiene, cleanliness of the environment, disease and accident prevention, first aid and basic daily habits. In the other three years of the primary stage, the subjects of mental skills development and relationships with others are added. The programme also includes the preparation and development of educational materials in the form of textbooks, exercise books and health files for each student, which the programme provides free of charge.

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[17] School contract, Lycée Franco-Libanais, Tripoli, Lebanon, family contact book.

[18] Sabbagh, Marie Thérèse, "Etude de situation du Programme de santé scolaire dans les écoles primaires publiques au Liban"; , under the direction of Dr. Georges Nahas, Balamand University, Faculty of Human Sciences, Department of Educational Sciences, 1996;

Nahas, Georges; Sabbagh, Marie Thérèse, same title as above, Annals of Balamand University, Faculty of Social Sciences, No. 9, 1999 (in press).

247. This programme made an important practical contribution to education and had a positive impact wherever it was implemented. In particular, it entailed:

(i) Introduction of the lively education method in schools as the most modern and effective means by which to convey information to pupils, ensure that they acquire positive attitudes and develop an appraisal method that it is not limited to the acquisition of information, but also takes note of the pupil's conduct and behaviour.

(ii) The use of a variety of teaching materials and mediums of expression in which pupils can play a part (such as games, wall posters, puppetry, slide displays, television and video films, and three-dimensional design).

(iii) Extra-curricular health-related activities, such as hygiene campaigns inside and outside school, tree cultivation and paper recycling.

(iv) The organization of joint activities among a number of schools, including health fairs, plays, surveys on the harm of smoking and the publication of leaflets on the findings.

Where this programme was effectively applied, a general improvement was noticed in the health and educational behaviour of pupils. It also had a positive impact on the teachers responsible for the other classes. According to the assessment made by the health advisers, a positive and tangible change was observed in health-related behaviour and habits (general hygiene, improved class participation, more respect for school facilities) in about 68% of pupils, while teachers of other subjects observed a tangible change in 21% of their pupils.

248. This programme covered between 80 and 100% of primary school pupils, depending on the area and the year, and the responsiveness of administrations and the initiatives of coordinators and advisers played a major role in this regard. However, the weekly hour allocated to health education, was not included as an integral part of the curricula but remained optional, and some health advisers were reassigned to teach other subjects. This successful programme, which is consistent with contemporary educational methods and with the provisions of the Convention on the Rights of the Child, has not yet been officially introduced and has been scaled down since 1995, even though that was the year in which the new educational structure was approved.

5.7 Respect for cultural identity and national values and promotion of the values of tolerance and friendship

249. Article 29 of the Convention on the Rights of the Child emphasizes the freedom of education within the framework of national laws, together with the commitment that the substance of the educational process should help to promote the values of tolerance and eschew bigotry. It should also promote respect for national culture and world cultures, as well as tolerance and friendship between peoples, religions and ethnicities. These elements constitute the final outcome of the required educational process, which should combine the acquisition of knowledge with recognized human and moral values to serve as an indicator of advancement and progress.

250. The provisions of the new structure of education affirm the express commitment to these objectives, particularly since it must play its part in ensuring social cohesion and stability in a country ravaged by war for 16 years. One of the first essential tasks of the educational structure is to contribute to building a new generation that is more cooperative and embraces more unified concepts and values so that it may serve to guarantee the future national and social unity. As such, today's generation of children is assured of a secure future in which, unlike their parents, they are not compelled to live in a society torn apart.

251 In the face of this complex and difficult imperative, however, it still remains necessary to reach agreement on how to deal correctly with certain issues. Of these, the main two are as follows:

(a) The free education as practised in Lebanon divides the educational process from the kindergarten to secondary stages into parallel paths that rarely converge at any point. Schools therefore use different languages of instruction in addition to Arabic, as well as different curricula, textbooks and methods of study. At the end of the secondary stage, different examinations are taken in the private schools which are authorized to award foreign certificates (French, American and German) to pupils who pursue their studies in accordance with those curricula and who are not therefore required to sit the official secondary school certificate examination. These parallel paths also divide the awareness of the current generation of children and young persons, thus making it difficult to unify the concepts and values held by its members owing to the different cultural educations which they received at school.

(b) The choice of private school (representing 70% of pupils) is mainly dictated by the confessional group to which most of its pupils belong, particularly in the case of schools run by confessional groups, which, under the Constitution, are guaranteed near absolute freedom to establish their own schools. (To a lesser degree, some of the private schools which are not run by confessional groups have a distinct type of social and socio-cultural purity owing to the cost of their fees and the language of instruction which they use). In practice, the implication is that a child who embarks on a path by virtue of his affiliation with a private educational institution may spend his entire school life in one social, cultural and confessional climate without meeting, other than coincidentally, anyone belonging to the other social and confessional groups with whom they are supposed to interact in an unbigoted spirit of fraternity and tolerance. Instead, he is denied any experience of a shared existence throughout his school life.

252. The essential difficulty raised by this situation cannot be ignored, namely, to what extent can these principles be respected and maintained in practice unless a sophisticated State school, which constitutes the main forum for national interaction in a country such as Lebanon, plays a fundamental role?

CHAPTER VI

CHILD CULTURE, LEISURE AND PLAY TIME

6.1 Introduction

253. The family and school play a fundamental, although not exclusive, role in the formation of a child's personality. The child acquires a great deal of knowledge and a multitude of skills and behavioural patterns and also supplements his physical, mental and emotional growth through play, recreation and the wider social environment, particularly the media, which play a major role in forming his awareness from the days of early childhood, and one which grows increasingly significant in the older stages of childhood (adolescence and youth). Accordingly, articles 31 and 17 of the Convention on the Rights of the Child attach importance to these aspects in so far as they are fundamental rights which should be accessible to the child.

6.2 Child culture and opportunities for play and leisure

254. This aspect of the rights of the child does not receive the same attention as the provision of essential services (such as education, basic public amenity services and so on). On the contrary, play, leisure and the development of the intellect, the senses and aestheticism are regarded as secondary issues compared with the provision of «essential» services for the child, which are narrowly defined and restricted to providing physical safety, family stability and biological needs. The underlying cause of this situation is not entirely attributable to the years of war, the priorities of which intruded into all fields, including matters relating to the rights of the child, since it was as a result of the war that priorities were altered and that fewer resources became available for ensuring a greater guarantee of the rights of the child. The war also prevented the ruling attitude towards the child and the rights of the child from developing at the same pace as the development taking place in this field on a global scale. A further aspect concerns the traditional and paternal nature of the prevailing relationships in Lebanon and of its social and economic options, as these produce priorities in which the child – in so far as he holds any opinion or right – takes secondary place, despite the care afforded to children as vulnerable human beings who should be protected.

255. This situation is reflected in the unavailability of accurate data on this aspect of the rights of the child, which is by and large unapparent in national studies and statistics. The studies undertaken by individuals and institutions in the non-governmental and private sector, however, throw sufficient light on the subject to make it possible to assess the shortcomings and identify the type and extent of problems in this sphere.

256. On that score, Lebanon is not much different from the rest of the Arab world, as indicated by a study conducted by the Arab Educational, Cultural and Scientific Organization and entitled «Cultural development in the Arab Nation, 1981-1982». Having set forth the true situation in regard to cultural media and agencies, the study concluded that the means of cultural intervention in the Arab world remained traditional and classical in nature and that no attempts were made to diversify, innovate and benefit from modern foreign experiences. This conclusion is even more apt when applied to child culture, which is imparted through media such as books, toys, films, music and magazines. Access to this culture is regarded as as a cultural imperative of the future and as an educational and national imperative of today.[1] This appraisal of the situation of child culture has not changed in any qualitative sense since the beginning of the 1980s and is an indicator of its stagnation. Moreover, the 1980s in Lebanon were a period of extremely violent war. It is therefore fully plausible that it should find itself lagging behind today in terms of its provision of cultural materials and toys for children.

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[1] Dr. Bashur, Najla', «Reality and ambition of the Arab children's cultural media».

6.3 The children's press

257. In Lebanon, a few attempts have been made to launch a serious child-targeted press offering a very different menu from the domestic and imported consumer magazines available. Children in Lebanon, for example, lack the benefit of any educational or cultural magazines which can provide a helping hand in the ordinary process of education in the manner of the cultural magazine for pupils in the primary and intermediate stages which was founded in 1941 and continued in publication until the war broke out in 1975.[2]

258. The children's press in Lebanon today is distinct in the sense that it is clearly dominated in both content and language by foreign magazines. Some of these magazines consist of cartoon story strips which have no educational dimension to them. These are the most widely available magazines in bookshops. By contrast, magazines with any cultural content are expensive and are also all foreign language publications. Consequently, they are inaccessible to all.

259. Serious attempts to rectify this failing have been made by the non-governmental sector and by international organizations, the most obvious example of the 1990s being the magazine Sawa, which provided educational content for children in a lively and attractive style. This magazine was part of the child-targeted programmes which received direct support from UNICEF. Some private and non-governmental organizations also issue children's publications, such as the magazines Hazar and Samer. These endeavours, however, have failed to achieve the necessary growth in numbers or among different audiences.

Comprehensive list of the children's magazines published in Beirut and registered with the Press Union

Name of magazine	Date of publication	Founder
Rawda al-Ma'aref	1908	Abd Al-Rahman Salam
Al-Ustaz	1910	Nazih Dawud
Al-Thamara	1914	Nicola Bashara
Mawrid al-Ahdath	1923	Amina Al-Khuri Muqadasi
Al-Talib	1923	Yahya Al-Lababidi
Samir al-Sughar	1925	Julia Ta'mah Dimashqiya
Al-Zanbaqa	1929	Elias Hatum
Rawda al-Awlad	1932	Anis Fakhuri
Al-Thaqafa	1941	Adib Yusif Sadir
Akhbar al-Mujtama' wal-Tulab	1948	Mikhail Najib Ziyadah
Al-Madrasa al-Haditha	1955	Fuad Al-Bubu
Al-Tulab	1955	Wajih Al-Nu'mani
Zarzur	1956	Yahya Hassan Al-Khalil
Risala al-Tarbiya	1959	Omar Anis Al-Tabba'
Al-Talib al-Arabi al-Musawwir	1960	Majid Tawfiq Al-Hamwi
Basat al-Rih	1962	Zuhair Al-Balbaaki
Al-Mughamir	1964	Zuhair Al-Balbaaki
Dunya al-Ahdath	1964	Lauren Shaqir Rihani

[2] Al-Thaqafa magazine, founded by Yusuf Sadir in 1941. Published in two separate editions for the primary and intermediate stages in both Arabic and French, it was distributed in State and private schools.

Al-Fursan	1964	Lauren Shaqir Rihani
Superman	1964	Illustrated Publications
Al-Barq	1964	Illustrated Publications
Al-Witwat	1964	Illustrated Publications
Lulu al-Saghira	1966	Illustrated Publications
Tarzan	1966	Illustrated Publications
Tabbush	1966	Illustrated Publications
Sindbad	1966	Illustrated Publications
Dunya al-Abtal	1966	Salim Al-Jisr
Al-Sinnara	1967	Raymond Qawwas
Al-Shatir Hassan	1972	Abd All-Ghani Marwah
Adib wa Salwa	1973	Jibran Mas'ud
Ashbal al-Ghaba	1975	Illustrated Publications
Ayyub al-Mawhub	1975	Illustrated Publications
Al-Umlaq	1975	Illustrated Publications
Al-Fada'	1975	Illustrated Publications
Bonanza	1977	Illustrated Publications
Samer	1979	Walid Al-Hussaini
Ayyub al-Mawhub	1981	Dar al-Badi'
Al-Muthaqqaf	1982	Imad Akkawi
Ahmad	1986	Dar al-Malak Publishing
Hazar	1989	Arin Graphics
Sawa	1989	UNICEF
Sally	1989	Ain Graphics
Micro	1990	Nabil Tabbarah
Al-Ma'rifa	1991	Munif Al-Khatib
Flash (in French)	1975	Renée Najjar
Stix (in French)	1989	Renée Najjar
Chtok (in French)	1991	Malik Gharib
Ahmad (in English)	1991	Dar al-Hada'iq

260. Only seven of these magazines are still in publication. In addition to these, countless foreign magazines of various types are sold on the Lebanese market.

6.4 Children and television

261. Television is the main form of relaxation and entertainment for children in view of the small number and high cost of the activities and venues which cater specifically for children, as a result of which they spend most of their leisure time at home. The small screen has therefore come to be the main source of relaxation, entertainment and information, if that is the correct term. All stations have the same time slot for children's programmes, which run between 4 p.m. and 7 p.m., although most children aged over six watch television until 9 p.m. or later, in which case adults usually join in watching with them.

6.4.1 Programmes transmitted during the children's time slot

262. Three categories of programme are screened during the children's time slot:

(a) Locally produced children's programmes;

(b) Cartoon films;

(c) Arab and foreign films.

(a) Locally produced children's programmes

263. Each licensed television station produces its own children's programmes locally, as follows:

- Safina Nuh, Future Television, sponsored by Nestlé, a variety programme with different segments, including song and dance, which is presented by a team of young adolescents;

- Abqar, Future Television, a knowledge contest programme in which top school pupils answer questions in Arabic, French and English;

- Al-Tahadi Al-Kabir, Télé-Liban (TL), a knowledge contest programme in which teams of pupils from different schools compete for their school, responding to questions in Arabic, French and English;

- Kayf wa Laysh, Lebanese Broadcasting Corporation (LBC), a variety programme presented by various adults and a regular cast of puppet characters;

- Mini-studio, MTV, a variety programme presented by various adults and a regular cast of puppet characters and sponsored by Chopa Chops (a foreign confectionery company);

- Al-Manar al-Saghir, Manar Television, a variety programme presented by various adults and a regular cast of puppet characters.

264. The stations also transmit other local programmes, but they are not as prominent as the above-mentioned programmes, which give the television station a distinct image in terms of its approach towards children.

(b) Cartoon films

265. In general, these are similar on all the stations and are mostly produced by Disney and other foreign companies (particularly Japanese companies in more recent times). Also included under this heading are puppet shows such as Sesame Street, the Muppet Show and other foreign productions.

(c) Films

266. Most of these are foreign (United States) films for the family or children and include animated cartoon films. This time slot also has its share of variety and song programmes (Video Clip), as well as documentaries, comedy programmes (Half an Hour) and Arab and foreign films.

267. The above-mentioned programmes are not supervised at any level for educational or academic content and there is no evidence of any audio-visual aesthetic sense. On the contrary, such programmes are market-driven, which is to their detriment. Successful programmes are those which attract the largest number of advertisements. No effort is made to develop their content and no consideration is

given to the views of children, who consequently turn to adult programmes and time slots in order to seek out alternatives to the programmes which cater for them specifically.

268. The children's programme slot is interspersed with a barrage of commercial and consumer advertisements which are often heavily repeated, in addition to programmes which are basically sponsored by producers of children's consumer goods, such as toys, snacks and so on. Moreover, the direct use of children themselves to promote consumer advertising can be regarded as a violation of their rights. In fact, some programmes are virtually nothing more than blatant promotion vehicles for the sponsoring product and the different programme segments simply act as padding between one advertisement and another.[3] In addition, children's talent programmes sometimes give free rein to talented individuals in a manner which is both ill-considered and exploitative. The Lebanese public has known more than one instance where a talented child has been turned into a miniature adult who is deprived of his childhood and heavily exploited in the name of childhood.

Quota of children's programmes in the total number of weekly transmission hours on local television stations* (per cent)

Name of station	*Number of weekly transmission hours*	*Number of children's programme hours*	*Percentage of children's programmes*
LBC	133	10	7.5
TL	126	6.3	5.0
Future	168	8.5	5.1
MTV	128	20.3	15.8
Manar	84	7.5	8.9
Lumiere	111	11.3	10.2
NBN	73	7	9.6

* Approximate percentages based on details of the programme networks published in the newspapers.

269. These programmes set little store by the mental ability which children have and address them using vocabulary and language which are out of line with modern ideas in education and which make no contribution to furthering their knowledge or developing their aesthetic sense. As a result, children are obliged to move on to watching adult programmes. This is a widespread global phenomenon and there are no broad sample measurements to enable an assessment of its prevalence in Lebanon. It can, however, be monitored through direct observation or by means of set questionnaires and surveys.

270. A study carried out by three students at the Faculty of Education that included a sample of 110 pupils in the fifth primary school form in schools in Beirut[4] showed that 62% of young girls and 75% of young boys spend three hours or more a day in front of the television. It also showed that children's television programmes were watched by only 3% of males and 4% of females. In addition, of five programmes watched, only girls cited the Disney cartoon, whereas the other four programmes, along with the fifth programme cited by young boys, were adult programmes. This observation

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[3] One woman in charge of social programmes on the State-run station said that, during her time in office and for the first time ever in the history of television, she suspended a children's programme due to its flagrant promotion of specific products and of consumer behaviour and eating habits that were harmful to children's health. Not long after, however, the programme was relaunched on a private television station.

[4] Ghamrawi, Najjah, Qatirji, Ghani and Iyyas, Rani, «Television and its impact on children», Lebanese University, Faculty of Education, 1997.

constitutes the very essence of the fundamental conclusion drawn by the study, namely that children watch most adult programmes, in particular local light comedy programmes and foreign programmes.[5]

Percentage of programmes watched by children (males and females)

Programmes	*Percentage watched by boys*	*Percentage watched by girls*
Animations	18	18
Light entertainment	4	2
Light comedy	15	16
Foreign serials	14	13
Children's programmes	3	4
Foreign films	10	8
Mexican serials	8	10
Video clips	8	8
Arab serials	8	11
Science documentaries	8	5
Arab films	5	5

Source: «Television and its impact on children», 1997.

6.5 Children's theatre

271. The experience of children's theatre in Lebanon bears more than one positive sign which rises above the commercial element which frequently infiltrates this field, although it has not yet taken it over completely. A leading figure in puppet theatre is Joseph Fakhuri, who, during the 1960s, staged theatre pieces and presented much loved television characters in works of his own that were educational in content. Since the early 1970s, and even during the period of war, particularly when it stepped up during the 1980s, more than one group was active in forming children's theatre troupes which still active today. Some of these troupes were set up on the initiative of graduates from national and foreign art institutes and received support from official and international institutions, while others managed by establishing a direct link with the private sector or by obtaining sponsorship and backing from the visual media, which turned some of their children's programmes and personalities into works of theatre. The artistic standard and content has remained excellent in some of these works, while others are driven purely by advertising and commercial interests.

272. The main working troupes include:

Beginning in the mid-1970s: the Sanabil troupe and the Farja Fund troupe (which used shadow play and other techniques and are still continuing);

In the 1980s: the Lebanese Puppet Troupe, the Arab Cultural Club Troupe (a children's troupe) and Paul Matar;

In the 1990s: The Lebanese Puppet Theatre and the Odeon Children's Theatre;

In the 1980s and 1990s: Television dramas, such as Didi, Mini Studio and so on.

[5] Ibid.

Children's plays are also staged by non-specialist troupes consisting of either professional or amateur performers.

273. Some of these plays have good artistic form and content, and others even tackle head on the task of disseminating the notion of the rights of the child through theatre.

Experience of the touring theatre in the south following the aggression of 1976[6]

Personal accounts

The children in over 7% of villages had never seen any theatre performances. Our performances were staged in varying circumstances:

In sun-exposed playgrounds or in village squares: 19 performances;

In wide alleys or on broad terraces: 12 performances;

In schools with covered winter playgrounds: 30 performances;

In new schools with enclosed halls: 24 performances;

One performance was staged in the building workshop of a village school.

The most successful performances were staged in the areas adjoining the border strip and in the villages most affected by the massacres. A kind of numbness tinged with great joy and delight was palpable in the hall at the end of the show, as the children waited silently for encores. This was particularly true in Yahmur al-Shaqif, which is, to all intents and purposes, isolated from the liberated areas by an Israeli road block that is sometimes erected at the village entrance, and in the village of Sadiqin, which had 12 of its school pupils killed the Qana massacre.

We staged a performance in the village of Saghbin. The lefthand side was predominantly grey, which is the colour of the pinafore uniform worn by the pupils of Sahmur school in the Bekaa, which comes under constant shelling. On the righthand side were the children from Saghbin, dressed in their colourful clothing.

Before the show had even begun, the children from Saghbin were laughing and applauding in a show of excitement. Familiar with the rules of the game, this was obviously not the first time in their lives that they had attended a performance. The children from Sahmur came in and sat down quietly and began following the performance in an astounded silence.

At the start of the first half of the performance and during the comedy scenes, laughter rose from the righthand side only and when someone was invited to speak, there was a scramble for the stage from that quarter. By contrast, none of the children from Sahmur made any moves.

No more than 20 minutes later, the children from Sahmur could be heard laughing and applauding and they soon began commenting on the events. When we invited the children to help us clean up the village, two or three children from Sahmur came forward.

In the second half of the performance, the children from Saghbin reacted in the same way as those from Sahmur. At the end, when we invited all the children to rebuild the village, the stage was inundated by grey pinafores. The play had succeeded in melting the ice and created great interaction between the children who attended.

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[6] From a report written by Karim D. Karub, director of the Lebanese Puppet Theatre, on the troupe's tour of the south and the western Bekaa. The tour was carried out in cooperation with UNICEF and the Guidance and Orientation Department of the Ministry of National Education, Youth and Sport. A musical on the rights of the child was staged for children in State schools in the south and the western Bekaa during the period 5 June-31 July 1996. The group staged 100 performances in 85 villages, as follows: in the district of Tyre, 49 performances in 42 villages; in the district of Bint Jubayl, 16 performances in 12 villages; in the district of Nabatiyah, 30 performances in 24 villages; and in the district of western Bekaa, 5 performances in 4 villages. A total of about 20,000 children attended these performances.

274. Children's theatre is relatively widespread, having reached tens of thousands of children through performances staged in theatres or in schools, something which has turned into an annual event during recent years. Children's theatre also took significant steps to move from the towns into rural areas and helped in entertaining children in a country where there are few opportunities of that ilk. The comments reported by a good many social workers and teachers highlighted the great interest in both real theatre and the puppet theatre, which established its viability as an effective educational method, particularly in plays where the actor and the child audience interact to decide jointly on the course of the play and find solutions to the problems posed in it.

6.6 Children and opportunities for play and recreation

275. Public areas and green spaces in particular are few and far between in Lebanese towns, whereas in the villages they are confined to the natural environment of fields, orchards and woodlands. In the towns, this situation is due to the desire to profit from real estate in view of the high prices involved and to the fact that there are no municipal authorities currently engaged in creating public parks, playgrounds or recreation for children (or for adults). The exceptions to this rule are few and they vary in nature according to whoever is taking the initiative.

6.6.1 Children's play opportunities through the private sector

276. The Lebanese private sector is known to be highly active and enterprising in responding quickly to local needs, even though it does so on the basis of its own outlook, which does not always take account of cultural and educational conditions that may be inconsistent with reaping the highest possible profit. In view of the lack of public spaces and opportunities for play and recreational pursuits by children (and implicitly, as is well known, adolescents and young persons), the private sector took the lead on more than one level to meet this need by means of the following:

Initiatives aimed at particular groups through the establishment of sports and recreation clubs and complexes which are either independent or form part of the many tourist resorts dotted about the mountains and along the coast. Such facilities offer members, and consequently their children, a variety of opportunities to pursue different types of sporting, cultural and recreational hobbies and pastimes. The low-income groups from the general public are unable to benefit from these facilities, some of which are exclusive to members, while others are partially open to the public. The cost and terms of membership and use of these facilities also varies.

Children's amusement arcades and ride parks, in addition to a recent influx of circus troupes which come from all over the world to perform shows in Lebanon. These opportunities are available to the general public in return for an entrance fee, which may vary in price, in addition to a charge for rides. All children have access to these opportunities on the basis of their geographical proximity to such facilities and their income level. Although it should be pointed out that the cost is now lower than in the past, it is also worth noting that the quality of the rides on offer and the degree of safety of the different pieces of equipment varies widely. Rides, including those which are dangerous, are not monitored for safety, as a result of which accidents may occur and children may be liable to injury.

The games arcades owned by the private sector and dotted around every district are accessible to children from the low-income groups, including child workers. These children congregate in places where billiards, pinball games and electronic games are played. For the most part, these are small or medium-size premises which are crammed full of adolescents and youths, as well as even younger children, who go there to pass their free time.

Children's toys and games, which also constitute an area of commercial and industrial activity for the private sector, representing profitable commodities that are mostly imported. The toys and

games available on the local market vary in type from good quality educational toys and games, which are the least commonly available (and which are frequently too costly or overpriced for families with limited incomes) and poor quality toys and games which are readily available to groups of different ages and income levels. The latter type are the most common. Some toys and games, ranging from cheap and simple imitation weapons to sophisticated electronic war games, are detrimental from the educational point of view or promote competitive values whereby one's «opponent» is brought to economic ruin (as in the game of Monopoly). Such is the overriding context, although the private sector has made some effort to transcend above it and escape the pure business rationale, as in the case of Khalid al-Jabar Toys, which produced a series of assembly toys currently sold out on the market, and in those of Adib and Salwa (two pre-war experiments), Dar al-Shamal in the 1970s (a simple games series teaching letters and numbers) and the Tala Corporation, which started in 1985 and produces various types of educational toys designed under expert supervision and intended to satisfy present needs, the games Mishwar fi lubnan and Haqqi + huguqi, which are intended to familiarize children (aged 10) with the Convention on the Rights of the Child.[7]

Umayma: Personal account of a State primary school teacher
One feast.... and another feast

It was the first few days of the feast and the town streets were full of children. At the southern end of the town, a giant fairground had been erected for the first time ever: multi-coloured shining lights, a big wheel, all manner of aeroplanes and cars, a large skating path and so on.

Khidr, who was 12 years old, stood outside it in awe and dreaming of entering, which demanded a few thousand Lebanese pounds that he didn't have. So he went back to the old abandoned fairground nearby: a modest wheel, swings, licorice sherbet and ordinary neon lights covered with green and red paper. The feast over, Khidr returned to school and got up to tell me on behalf of all of his classmates:

«You wouldn't believe it, miss! That fairground is so wonderful, but you have to pay an entrance fee of LL 5,000 and LL 2,000 more per ride. So, if my friends and I had gone there, we'd have been broke. So what were we to do? We went instead to the old fairground, paid LL 1,000 and went on all the rides we wanted.»

So, instead of just one feast in town, there were two!

6.6.2 Children's play opportunities through the public sector

277. Children have opportunities of play which are free or virtually free of charge through the following public means:

- Public parks in towns and municipal areas. These are, however, limited in number, small in size and not usually equipped with children's amusements or have only modest amounts of equipment. Moreover, little interest is shown in renovating these parks and creating new ones. The largest park, located in the Sana'i area of the capital, is very often closed. It has no equipment in it and is situated in an overcrowded area in the vicinity of government buildings. Most urban parks suffer problems of size and location (Tripoli park is situated in the midst of a crowded area known for its traffic jams, polluted air and noise; the Aysha Bakkar park, which is a few hundred square metres in area, runs alongside the public highway; and the so-called children's park in the town of Jubayl has amusements in the areas between the bridge over the international highway, which is an extremely noisy and dangerous spot). In a nutshell, there are no public parks in the true sense of the word in the centre of towns and large municipal areas.

[7] Dr. Bashur Najla', «Reality and ambition of the Arab children's cultural media», op. cit.

- The potential use of school facilities for extra-curricular and scouts activities, which is variable depending on the endeavour of the school staff or scouts associations, particularly the national education scouts, and on whether the school has playgrounds and equipment. In general, however, State schools form a network of buildings and equipment dispersed throughout all regions and regarded as tantamount to an infrastructure for children's recreational activities that is underused.

- Sports activities and teams, an area in which official interest is starting to emerge at the central government and municipal levels, as evidenced by the priority given to reconstructing the sports village and repairing a number of municipal playgrounds in Beirut, Burj Hamud, Tripoli and elsewhere. A government plan is gradually being implemented with a view to increasing interest in sport and promoting municipal playgrounds in town and municipal areas so as to encourage the establishment of sports teams in the towns and districts. The attention devoted to sports in schools has grown appreciably, as demonstrated by the fact that large numbers of pupils are accepted on training courses for sports teachers, which were reintroduced in order to produce sports teachers for State schools.

- Children's summer schools and voluntary camps, which are discussed in the next section, and in which the governmental and non-governmental sectors each play a part.

6.6.3 Summer camps

278. Children's summer schools, camps and similar activities constituted the most widespread and most significant activity for children in Lebanon. This activity was launched under its major new guise during the war years, offering thousands of children a wide peaceful space and the chance to stay far away from the war atmosphere. These activities took the following forms:

- Children's summer schools, which are camps that are usually organized for periods of 10 or 15 days, interspersed with educational and recreational activities, local outings and so on. The ages of the children taking part range from 7 to 12 years. The camps are supervised by a team of instructors and activity leaders.

- Day clubs, consisting of the same type of activities organized during daytime hours, after which the children return home.

- Voluntary youth work camps, which take volunteers from the ages of 16 or 17. These camps run cultural and recreational activities and local outings and are also involved in implementing a development project in conjunction with local inhabitants.

279. The new phase of this type of activity during the war years[8] triggered the vital role of the non-governmental sector, which receives substantial support in this connection from international organizations, particularly UNICEF, for training activity leaders and instructors, preparing materials and programmes and so on. There is also effective participation on the part of several ministries and government agencies, such as: the Ministry of Social Affairs, which, on an annual basis, organizes a number of voluntary work camps interspersed with daytime activities for children on an everyday basis; the General Directorate of Youth and Sport (Ministry of Education), which organizes children's summer schools and training camps; the Lebanese Army (which runs summer schools for the children of soldiers); and the Ministry for the Affairs of Displaced Persons (which organizes camps and summer schools in the repatriation areas).

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[8] Before the war (1975), the Department of Social Welfare organized development activities of this type in the different areas of Lebanon. In the 1990s, this Department became a separate ministry entitled the Ministry of Social Affairs.

280. These activities are now an annual tradition; scores of camps are organized and thousands of children and young persons throughout the whole of Lebanon take part in enterprising initiatives which do not often lend themselves to statistics. Hundreds of activity leaders and instructors trained over the previous decade are scattered throughout the clubs and villages and organize beneficial activities for children, using mostly local resources.

281. These activities fulfilled a number of sensitive social and educational functions:

- They were a haven of peace and escape from the surroundings of war during the years of armed conflict;

- They were a place for meeting and getting to know others from different regions and confessional groups, thereby representing a significant juncture for a generation which had not had the opportunity to get to know and mix with others. This was an important function, particularly when military activities ceased and the different regions opened up to each other;

- As ever now, they provided a rich educational and cultural experience which promotes the idea of development, tolerance, respect for the environment and participation and which is currently the most important function.

282. There are noteworthy gaps, however, including in particular the following two points:

(a) The adolescent group between 12 and 15 years of age were excluded from this activity, as the programmes were either designed for children between 7 and 12 years of age or for young persons aged 16 and over.

(b) There is a danger of these activities being turned into a sort of traditional activity which gradually becomes devoid of any content, as the surge of camps does not always go hand in hand with new programmes or conform to needs. In addition, there is no coordination or integration among the various parties responsible for their organization.

CHAPTER VII

THE HEALTH STATUS OF CHILDREN IN LEBANON

7.1 Introduction

283. The right of children to health is an obvious fundamental right at both international and national levels. The Convention on the Rights of the Child stipulates this right and sets out in detail the basic indicators by which it is possible to evaluate the progress achieved in adhering to the commitments contained in article 24 of the Convention. Commitments at the national level are therefore borne by Government, together with the non-governmental and private sectors. The international community also has commitments in this respect, as stipulated in article 24, paragraph 4, which refers in particular to the requirement to take account of the needs of developing countries.

7.2 General framework

284. The rights stipulated in article 24 of the Convention on the Rights of the Child can be achieved only within the broadest framework of the health policy and the characteristics peculiar to the health sector in the country in question. This does not exclude the possibility of singling out children for special care by means of special programmes, which, in any event, is both feasible and essential. The long-term health status of children, however, is generally dependant on the overall health status and on the philosophy and characteristics of the approved health policy and the means and resources available to implement it.

285. On this score, the health status of the population in Lebanon has noticeably improved due to the combination of factors which, during recent decades, have accumulated to produce a positive impact, starting with the good economic growth patterns of the 1950s, through to the social policies adopted and the health and insurance systems established during the Shihab era, their subsequent development and the vital input of the non-governmental and private sectors in providing health care services.[1]

286. The overall effect was evident in the increase in life expectancy at birth, in the reduction of child mortality and in other positive indicators. This accumulation has formed a reservoir and established a forward trend that was not adversely affected to any great degree by the war, despite the material, human and institutional losses thus caused. This is attributable to the culture of self-reliance, with particular reference to the initiatives of the non-governmental sector, and to the fact that the private sector continued to play a major and active role in the health field. Other attributable factors are foreign assistance, the activity of international institutions and the adaptation of government health policies to the demands of war and emergency situations.

287. As to the pattern of disease in Lebanon, it now resembles the pattern in the industrial societies in the sense that non-contagious diseases are now more significant as the primary cause of adult death. Contagious diseases, however, are still significant, even though they are now better controlled than before, particularly in the case of children's infectious diseases, and even though the incidence of severe diarrhoea and acute viral respiratory diseases continues to spread.

288. The health sector in Lebanon also suffers from a number of structural and functional deficiencies which have an adverse effect on its performance and also have particular implications for the health status of children. The main deficiencies are:

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[1] Jihan, Tawila, "Revealing facts on health in Lebanon", a working paper presented at a workshop on sustainable human development organized by UNDP in Lebanon, Beirut, December 1996.

- The role of the public sector has diminished considerably in favour of the private sector in regard to treatment and clinical medicine and in favour of the non-governmental sector in regard to infirmaries, primary care and prevention;

- Planning is absent and health service costs have risen substantially;

- The therapeutic aspect prevails over the preventive aspect;

- There is a preponderance of specialist doctors compared to general and family health practitioners and a shortage in the number of nurses and medical auxiliaries;

- There are numerous different insurance schemes which fail to provide full coverage, despite the substantial spending on health;

- Citizens pay a large share of the health bill, sometimes amounting to twice the amount paid by the public sector;

- There are regional and social disparities in the provision and quality of health services;

- The drugs market is chaotic, poorly controlled and badly coordinated, as is the pricing of health services.

289. These deficiencies have adverse repercussions on the health status of citizens in general and children in particular. The high cost of health care and the failure of the insurance schemes to provide full coverage precludes all families in practice from the enjoyment of good health services on an equal basis. In addition, the predominance of therapy over prevention and of therapeutic services over primary health care is less appropriate to the needs of children, whose requirement for protection, nutrition and a healthy environment and habits that favour their development is greater than their requirement to be treated for diseases following their contraction.

290. Attention should be drawn, however, to the fact that the basic indicators of child health have appreciably improved, primarily owing to the success of the special national programmes targeted at children, particularly those in the early stage of childhood.

7.3 Basic indicators of child health[2]

7.3.1 Overview of the health status of children[3]

291. Children (especially those in the early stage of childhood) are susceptible to seasonal illnesses which are similar in terms of both their incidence throughout the different regions and their annual recurrence. The most common are respiratory diseases in the autumn and winter, tonsillitis and ear infections in the spring, and diarrhoea and diseases of the digestive tract in the summer. Poliomyelitis,

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[2] All statistical information relating to child mortality rates, prenatal care, the nutritional status of children, accidents to which children are liable and overall inoculation rates are taken from the Lebanese survey of maternal and child health, which was conducted by the Ministry of Health as part of a joint project with the League of Arab States. The survey's initial results were published in 1996 and its final report was published in 1998. Any other references used will be indicated in the relevant place.

[3] This overview of the general health status of children was prepared on the basis of four interviews with consultant paediatricians in four different areas of Lebanon (Beirut, the southern suburbs, the South and the Bekaa). This section comprises a summary of their conclusions based on their experience and own accounts of the situation in their clinics and in the hospitals and infirmaries where they work.

tetanus and diphtheria, on the other hand, now rarely occur, with only a few isolated cases reported in hospitals and clinics during the past 10 years.

292. On the other hand, the recorded incidence of some of the above diseases, such as diarrhoea, has increased in recent years, rather than declined. On the basis of personal accounts and medical experience, the following two developments have been recorded during the past five years. The first is that the "season" for acute diarrhoea and diseases of the digestive tract used to last for about two months (July and August in particular), whereas widespread cases are now reportedly starting to occur in May or June and continue until September. The second development is that the number of children affected increases year upon year, as does the percentage of those among them who require hospital treatment. Doctors are unanimously agreed that such cases are mainly caused by contamination, particularly of drinking water, which is becoming a real problem that poses a threat to the health of both children and adults.

293. Furthermore, a large percentage of children who attend doctors' clinics and hospitals noticeably suffer from different forms of malnutrition, which can be detected by low weight, poor stature, various digestive disturbances, anaemia and other symptoms. The problem is not usually insufficient quantity of food, but relates more to food type and variety. On the basis of the field experience of pediatricians, the prevailing nutritional habits pose a real problem, particularly where infants are concerned. The first year of a child's life, for instance, may have the greatest impact on physical health; during that year, the structure of a child's organs and main functions is completed and growth occurs at an extremely rapid pace that is not repeated during the following years. This implies a need to raise awareness among adults, particularly those who are parents, of how to nourish their children adequately and ensure the material means to achieve that end.

294. The problems of environmental pollution and nutritional habits are among the priorities which, if addressed, help to protect children from disease and to increase their immunity and potential enjoyment of lifelong good health.

7.3.2 Child mortality

295. A noticeable improvement has been recorded in the health status of children in Lebanon; over the past decade, the infant mortality rate fell by 30% and the under-fives mortality rate by 20%. A detailed breakdown of child mortality shows that there is a high likelihood of death during the first 28 days following birth, as the mortality rate among newborns stood at 20.3 per thousand in 1996, whereas the mortality rate among non-newborns (aged from 4 weeks to one year) was 7.1 per thousand. The main health problems are lack of antenatal health care, the quality of such care, an increase in the number of congenital and genetic diseases, particularly as a result of consanguineous marriage, and the substantial likelihood that a newborn infant may contract disease owing to lack of adequate health conditions.

Infant and child mortality rates for the periods 1987-1991 and 1992-1996 (per thousand live births)

Group	*Rate per thousand live births*	
	1987-1991	*1992-1996*
Newborn (under 28 days)	29.3	20.3
Non-newborn (28 days to one year)	9.6	7.6
Infant mortality (under one year)	38.9	27.9
Child mortality (1-5 years)	1.8	4.4
Child mortality (under five years)	40.6	32.2

Source: Lebanese survey of maternal and child health, 1996.

296. It can be seen from the table that the mortality rate among infants (aged under one year) fell by 11 percentage points and among children (aged under five years) by over 8 percentage points between the two time periods concerned.

297. The national rates, however, conceal regional and social variations as the rates clearly differ according to governorate; the infant mortality rate was 48.1 per thousand in the North and 39.8 per thousand in the Bekaa, compared with 19.6 per thousand in Beirut. The mortality rate among the under-fives is also at its highest in the North and at its lowest in Beirut.

Infant and child mortality rate by governorate
(per thousand live births)

	Mortality among newborns (aged under one month)	*Mortality among infants (aged under one year)*	*Mortality among children (aged under five years)*
Beirut	17.5	19.6	19.6
Mount Lebanon	21.6	27.6	30.6
North	32.7	48.1	53.7
Bekaa	32.2	39.8	39.8
South	16.4	27.2	32.3
Nabatiyah*	-	-	-
Total per thousand	24.9	33.5	36.5

Source: Lebanese survey of maternal and child health, 1996.

* Owing to the small sample in the governorate of Nabatiyah and the field difficulties facing the researchers, the information on the mortality rate in this governorate is inaccurate.

298. From the social point of view, there is a strong link between the educational attainment of mothers and the child mortality rate. Hence, children born to mothers who are either illiterate or who are simply able to read and write are 3.5 times more liable to die than those born to mothers who are educated to secondary level or higher. Mothers who are illiterate have an average of 6.9 children, whereas mothers with a university education have an average of 2.7 children. The mortality rate among infants under one year of age is 54.5 per thousand among children whose mothers are illiterate, compared with 14.8 per thousand among children whose mothers have obtained at least a secondary school certificate. The same pattern can be seen in regard to the mortality rate among the under-fives. These considerable variations indicate the significance of maternal education and its positive effect on child health and the child mortality rate.

Infant and child mortality rates among the under-fives by educational attainment of the mother
(per thousand live births)

Educational attainment of the mother	*Mortality among newborns (aged under one month)*	*Mortality among infants (aged under one year)*	*Mortality among children (aged under five years)*
Illiterate	38.2	54.5	57.7
Able to read and write	33.3	51.1	55.6
Primary school	23.4	29.6	33.9
Intermediate school	23.6	30.5	31.7
Secondary school or higher	12.8	33.5	16.5
Total per thousand	24.9	33.5	36.5

Source: Lebanese survey of maternal and child health, 1996.

299. The survey also showed that the differences between males and females are negligible, standing at no higher than one per thousand in the case of all rates.

300. The inference to be drawn from the above review is that, whereas the fall in the mortality rate constitutes an improvement in regard to the right of the child to survival, not all children have equal access to this right, as wide regional and social variations remain in regard to this important indicator.

7.3.3 Disease and accident

301. The noticeable improvement in the child mortality rates is not matched by the same level of progress in regard to the health status of children in general, given that the incidence of various diseases in children remains high, as does their exposure to accident.

Incidence of various diseases in children aged under five

Disease	*Percentage*
Diarrhoea	11.7
Respiratory	56.8
Fever	3.7
Ear infections	7.7
Eye infections	7.6
Measles	8.1
Other	3.6

Source: Lebanese survey of maternal and child health, 1996.

302. As for accidents, 2.7% of children fell victim, with a slightly higher incidence among boys (3%) than among girls (2.4%).

303. The following table shows that the most common accidents among children were injuries and burns, representing two-thirds of cases. It is also noticeable that three out of every four accidents occur within the home and that 28% may result in long-term impediments or disability.

Child accidents by type, sex and place of occurrence
(per cent)

Sex	*Percentage suffering accidents*		*Type of injury*					*Place of accident*			*Accidents resulting in long-term disability*
	%	*No. of children*	*Wound*	*Burn*	*Fracture*	*Poison*	*Other*	*Inside home*	*Outside home*	*Other*	
Male	3.0	1 137	38.1	26.5	5.7	9.1	20.6	76.1	12.1	11.7	29.8
Female	2.4	1 019	29.2	41.7	8.4	4.4	16.3	70.9	20.7	8.3	25.4
Total	2.7	2 156	34.4	32.7	6.8	7.2	18.8	74.0	15.7	10.3	28.0

Source: Lebanese survey of maternal and child health, 1996.

304. In the light of this observation, the Ministry of Public Health carried out a series of activities aimed at strengthening accident prevention. These activities are run in coordination with other concerned ministries, non-governmental organizations and universities, with support from the World Health Organization (WHO) and UNICEF. These efforts, however, are neither sufficient nor ongoing.

particularly since the media fail to join in other than during national campaigns, as such efforts do not form an organic part of their programmes and guidelines.

7.3.4 Comprehensive immunization

305. The findings of the Lebanese survey of maternal and child health pointed to the important role played by the national programme for comprehensive immunization (launched in 1987) in ensuring the widespread inoculation of children against the diseases of childhood. The coverage rate of the triple vaccine combined with poliomyelitis increased to 99.8%, 96.8% and 91.8% for the three dosages respectively and to 77.1% in the case of the measles vaccine.

306. In 1997, two new combination vaccines were introduced to the national immunization schedule, namely a vaccine against measles, mumps and rubella (MMR) and a vaccine against diphtheria and tetanus.

Rates of inoculation among the under-fives
per cent)

Sex	*Poliomyelitis and triple vaccine*			*Measles*
	First dosage	*Second dosage*	*Third dosage*	
Male	99.5	96.6	91.4	75.8
Female	100	97.0	92.3	78.5
Governorate				
Beirut	100	97.2	90.4	83.7
Mount Lebanon	100	97.1	94.4	79.2
North	98.7	96.0	88.4	72.8
Bekaa	100	97.0	88.6	68.3
South	100	98.9	93.5	76.3
Nabatiyah	100	98.9	93.5	76.3
Total	99.8	96.8	91.8	77.1

Source: Lebanese survey of maternal and child health, 1996.

307. The comprehensive immunization programme has achieved tangible results in relatively short periods of time. A comparison of the inoculation rates among children aged under five years (above table) with the corresponding rates among children aged between one and two years (following table) shows a clear improvement of 5 percentage points in the case of the third dosage of the poliomyelitis and triple vaccines and of 8.6 percentage points in the case of the measles vaccine. In addition, there is no noticeable distinction between males and females.

Inoculation of children aged between 12 and 23 months
(per cent)

Sex	*Poliomyelitis and the triple vaccine*			*Measles*
	First dosage	*Second dosage*	*Third dosage*	
Male	100	100	95.9	84.1
Female	100	100	98.4	87.5
Total	100	100	97.0	85.7

Source: Lebanese survey of maternal and child health, 1996.

308. The rate of comprehensive immunization among children in some deprived regions falls to 80% or less. A joint plan has been drawn up by UNICEF, the Ministries of Public Health and Social Affairs and the majority of non-governmental organizations active in the field of public health in these regions. The plan consists of a house-to-house inoculation campaign and health education activities from which over 1,000 mothers have benefited. As such, satisfactory results have been achieved. Every year, Lebanon also organizes "national immunization days" for the eradication of poliomyelitis which consist of two annual rounds of inoculation for children aged under five. In 1997, 90% of children were also immunized against measles.[4]

7.3.5 The nutritional status of children

309. The information contained in the Lebanese survey of maternal and child health indicates that the incidence of malnutrition has fallen; 3% of children are underweight (for their age), 2.9% are emaciated (have low weight in relation to height) and 12.2% are short in stature. These effects vary according to governorate and the educational attainment of the mother.

310. In Lebanon, lack of the required amount of calories poses no real problem. A problem does exist, however, in terms of the type and variety of food, as demonstrated by the significant deficiencies in iron, iodine and vitamin A. Heavy tooth decay is also common in children. Given the success achieved in tackling the problem of iodine deficiency by adding iodine to salt in a project started in 1995, a similar project is being set up to add fluoride to salt in order to protect against tooth decay. This process is expected to reduce tooth decay by almost 30%. In 1997, it was also announced that a national study would be carried out to determine how much anaemia was caused by low levels of blood iron in women of childbearing age and in children aged under five.

7.3.6 Breastfeeding

311. In all, 88% of women breastfeed their children. There are no appreciable differences on the basis of region or educational status of the mother. This percentage, however, gradually falls as the age of the mother rises. The basic reasons for failure to breastfeed are insufficient milk or maternal illness.

312. The average period of breastfeeding is nine months. The higher the educational status of the mother, however, the shorter this period lasts (13 months for mothers who are illiterate compared with six months for mothers who have completed a secondary school education). This average also differs according to governorate, reaching its maximum in the North (about 11 months) and its lowest in Mount Lebanon (about 7 months).

313. Only 11% of mothers bottle-feed as the basic or only method of nursing and 58% bottle-feed in conjunction with breastfeeding. Most children begin taking solid foods regularly from the fifth month.[5]

314. In the past few years, efforts aimed at strengthening breastfeeding have been stepped up and concrete initiatives have taken shape with a view to altering the medical practice in hospitals and maternity homes in order to restrict the promotion of alternatives to maternal breastmilk. In this field, the National Committee for the Promotion of Breastfeeding achieved a considerable number of successes. In particular, it established a core training team and provided training for 64 doctors, midwives and nurses, as well as 501 other members of the medical profession, so that they in turn could provide training in hospitals and maternity homes. In 1998, the number of "child-friendly" hospitals stood at 18 and efforts are ongoing at all levels to strengthen breastfeeding in view of the additional protection which it offers to a child during the first months of life. Some difficulties, however, are still encountered in regard to application of the law prohibiting the free distribution of milk substitutes, as

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[4] UNICEF, Lebanon, 1997 annual report.

[5] UNICEF, Children in Lebanon: Objectives of the mid-1990s, 1996.

the capacity of the Ministry of Public Health to intervene is limited when confronted with the resources of the private sector in this field.

7.4 Maternal health

315. Women have benefited from the development in health care, as reflected in their average life expectancy at birth, which now stands at 70.7 years. Various other health indicators for women have also improved. The findings of the Lebanese survey of maternal and child health showed that the rate of maternal deaths from pregnancy or birth amounted to 104 per thousand live births. This section will explore in particular the indicators of maternal health care during pregnancy and birth in order to determine their implications for child health and a child's opportunities in life.

7.4.1 Antenatal and obstetric health care

316. The results of the Lebanese survey of maternal and child health show that approximately 79% of women who were pregnant at the time of the survey (1996) had at least one check-up. This percentage was higher among women under 30 years of age (82.1%) than among older women (60%). The rate of follow-up varies according to governorate and is at its highest in Beirut (96%) and at its lowest in the North (54.1%). It is also higher depending on the educational attainment of the pregnant woman.

317. As for the reasons for the failure to attend for further check-up, 14% of cases are due to the pregnant woman's belief that the time is still too early and about 32% of cases are because "no health problems" are experienced or because of the high cost entailed.

318. In regard to the place of the follow-up check and the person conducting the check, the findings of the survey showed that approximately 98% of women have their follow-up antenatal checks in government or private health institutions. It also showed that most follow-up checks (87%) are carried out in private institutions and that doctors dispense health services in about 93% of cases. It should be noted that attendance at private institutions and the percentages of pregnant women to whom doctors dispense antenatal health care services clearly differ in accordance with educational attainment, as these percentages increase in proportion to the educational attainment of the pregnant woman.

Percentage breakdown of pregnant women who had follow-up antenatal checks by place of most recent follow-up check and percentage of those checked by a doctor by characteristic

Age of mother	*Institution where the follow-up check was conducted*					*Women checked by a doctor*
	Government-run	*Private*	*Home*	*Other*	*Total*	
Under 30	10.3	88.2	0.8	0.8	100	92.0
30-49	11.3	85.2	1.7	1.7	100	95.0
Governorate						
Beirut	4.2	95.8	0	0	100	95.8
Mount Lebanon	5.8	88.4	2.9	2.9	100	95.7
North	24.2	75.8	0	0	100	100
Bekaa	8.7	91.3	0	0	100	73.9
South and Nabatiyah	13.3	86.7	0	0	100	92.0
Educational attainment						
Without qualification	15.0	79.5	5.5	0	100	79.0
Primary	22.0	78.0	0	0	100	89.8
Intermediate and above	4.9	92.4	0.9	1.8	100	96.6
Total	10.5	87.2	1.1	1.1	100	93.0

319. As for place of delivery, 87.9% of births (during the five years preceding the survey) took place in government or private medical centres, where doctors assumed the main role in 73% of cases, compared with 11.9% which took place in the home. The percentage of births in medical centres increases in line with the educational attainment of the mother and also varies according to governorate. The percentage of home births is higher in impoverished rural areas, where a high proportion of births are unsupervised by a doctor or legal midwife, thus increasing the likelihood of risk to the mother and baby.

Percentage breakdown of births during the five years preceding the survey by type of birth assistant and by characteristic

Governorate	*Doctor*	*Midwife or nurse*	*Wetnurse*	*Relatives or friends*	*Other*	*None*
Beirut	91.0	2.9	4.9	0.0	0.8	0.4
Mount Lebanon	89.3	6.4	4.4	0.0	0.0	0.0
North	56.7	18.3	24.0	0.2	0.8	0.0
Bekaa	58.3	32.5	7.6	1.0	0.0	0.7
South	70.0	28.6	2.4	0.0	0.0	0.0
Nabatiyah	68.4	18.1	13.5	0.0	0.0	0.0
Educational attainment						
Without qualification	50.4	21.8	26.1	0.8	0.9	0.0
Primary	68.9	21.8	9.0	0.0	0.0	0.3
Intermediate or above	87.2	9.1	3.5	0.0	0.2	0.1
Total	72.8	16.0	10.7	0.1	0.3	0.1

Source: Lebanese survey of maternal and child health, 1996.

7.4.2 Consanguineous marriage

320. Consanguineous marriage is a widespread phenomenon in traditional societies. Its relationship to child health is that there is a high likelihood of congenital disease in children born to parents who are related by blood. Such instances also entail complications when it comes to education, as the child's family becomes caught up with his parents' extended family, thus increasing the potential for interference from relatives in the family's domestic affairs, including the child's education and the determination of his future choices.

321. The detrimental effect of this phenomenon has been noted in the high percentage of birth defects. A high rate of congenital disease has also been noted among children who are hospitalized for treatment. Although the compulsory requirement of a pre-marital health certificate helps to limit such risks, it does not eliminate them entirely, either because health certificates may be fraudulent or because they are incapable of covering every eventuality.

322. The findings of the Lebanese survey of maternal and child health indicated that one in every five married women was married to her maternal or paternal cousin or to another of her relatives. This ratio is much higher in regions where the social fabric is predominantly tribal in nature and among certain national minorities and religious groups.

323. The rate of consanguineous marriage varies in accordance with the educational attainment of the women. It is therefore as high as 24% among women who are illiterate and as low as 12% among women who have a secondary school certificate or university degree. There is a noticeable tendency, however, for consanguineous marriage to be less common among youngsters, as well as among women recently married and during the first half of the 1970s.

Percentage breakdown of women already married by relationship between the spouses, number of years since the first marriage and educational attainment

Period since first marriage	*Relationship*				*Total*
	Maternal or paternal cousin	*Other connection*	*No connection*	*Unstated*	
Less than 5 years	16.2	0.4	83.3	0.2	100
5-9 years	17.6	2.5	79.9	0.0	100
10-14 years	19.7	2.7	77.5	0.2	100
15-19 years	20.1	2.5	77.4	0.0	100
20-24 years	15.8	2.9	81.3	0.0	100
25-29 years	19.9	5.9	74.2	0.0	100
30+ years	18.7	2.8	78.5	0.0	100
Educational attainment					
Illiterate	21.8	2.1	76.1	0.0	100
Ability to read and write	22.2	3.7	74.1	0.0	100
Primary	21.7	2.6	75.6	0.1	100
Intermediate	18.2	3.0	78.7	0.1	100
Secondary and above	10.2	1.8	88.0	0.0	100
Total	18.2	2.6	79.2	0.1	100

Source: Lebanese survey of maternal and child health, 1996.

7.5 Acquired immune deficiency syndrome (AIDS)

324. Information from the National Programme to Combat AIDS points to a cumulative total of 510 cases as at December 1997, meaning the emergence of 60 new cases since 1996. The number of notified cases, however, is anticipated to be much lower than the true number in view of the dynamics of the disease itself (which may remain dormant for long periods of time) and the difficulties in connection with the notification mechanism employed and the current postal system.

325. The average age of sufferers is 31 years and sexual relations of whatever type are the most common means of transmission (accounting for 80% of cases). The cases which have amassed through infected blood account for about 7% of cases, a figure which has remained unaltered since 1993.

326. Children account for 4% of notified cases (in other words, 18 children are thus far affected). These children were infected by their mothers, who were in turn infected by their husbands. Women account for 21% of notified cases. It should also be noted that approximately 70% of cases occur among expatriates/travellers or individuals who have a direct connection with them.[5]

327. The National Committee to Combat AIDS was formed in 1988 and modified in 1993 to include additional government and non-governmental institutions and specialist committees. Its tasks range from awareness-raising and prevention, setting notification measures in motion and treating sufferers. It is also worth noting that several AIDS-related laws have been passed, particularly in regard to the regulation of blood transfusion monitoring, the compulsory notification of cases and compulsory pre-marital AIDS testing.

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[5] Ministry of Public Health, National Programme to Combat AIDS, published in January 1998.

7.6 Child health programmes

328. Having resumed its activity, the Ministry of Health began to formulate plans and programmes that are implemented through the primary health case system and the health centres located throughout the whole of Lebanon. The health plans emphasize various principles included in the context of implementing of the World Declaration on the Survival, Protection and Development of Children during the 1990s, in particular:[7]

- The responsibility of the State for providing the basic resources and suitable conditions for the provision of health care services for all;

- Emphasis on activities relevant to the health problems of the most vulnerable groups, such as children and mothers;

- The comprehensive provision of essential health services for inhabitants in the context of primary health care;

- Coordination and integration among the bodies responsible for the provision of health services with a view to developing health as part of the process of overall economic and social development.

329. The primary health care programme for the next five years focuses on preventive and educational services and comprises three projects:

(i) The maternal and child health project;

(ii) The comprehensive immunization project;

(iii) The project to combat acute bacterial diseases of the respiratory tract.

Implementation of this programme commenced with the opening of 30 health centres with the support of the World Bank and with a view to further expansion in subsequent stages. The Ministry, however, continues to encounter various obstacles which prevent the full development of this system, including the absence of any referential links between the levels of primary and secondary health care.

330. For its part, the Ministry of Social Affairs is endeavouring through its new strategy to establish its centres for developmental services throughout the whole of Lebanon; no fewer than 88 centres are anticipated in the future. It is through these centres that the Ministry of Social Affairs cooperates with the Ministry of Public Health in implementing primary health programmes with a view to turning the slogan of health for all into a reality.

331. The pioneering child health care programmes include the school health programme[8] in that it enjoys several advantages, not least of which are comprehensiveness and continuity. This programme was launched in the mid-1980s on the initiative of non-governmental organizations. It then began developing progressively and acquired its present hallmarks when the National Committee for the School Medicine Programme was formed in February 1993, which brought together representatives of the Government (the Ministries of Health, Social Affairs and Education), the non-governmental sector and the relevant international organizations (UNICEF and WHO).

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[7] Lebanese survey of maternal and child health, op. cit.

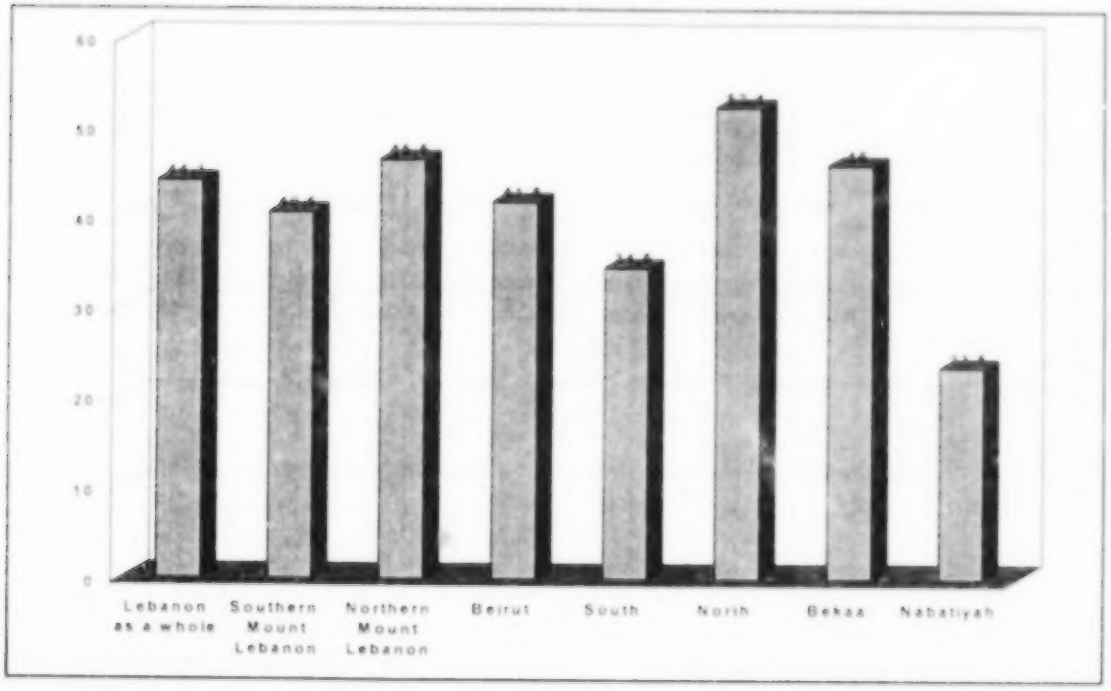
[8] The information relating to the school health programme is taken from the report prepared by the Congress of Voluntary Non-Governmental Organizations in Lebanon on the results of the health checks carried out in schools in the 1997/98 academic year and from the previous annual reports.

332. The aim of the programme is to detect health problems at an early stage and reduce their incidence, as well as reduce the incidence of disease in primary schools. The main method employed to achieve this objective is to carry out an annual health check on all primary stage pupils in State schools and in private non-fee-paying schools, as it is mostly in these schools that children from low-income groups are enrolled. The programme also includes follow-up of those cases which so require, as well as awareness-raising, training and follow-up activities in order to strengthen disease prevention and promote sound health habits, such as attention to personal and general hygiene.

333. This programme has steadily developed, particularly since the beginning of the 1990s. Some 108,000 pupils in 1,005 primary schools throughout Lebanon underwent the annual health check in the 1993/94 academic year, a figure which rose to 134,600 in the 1997/98 academic year. Hundreds of doctors and nurses (477 doctors and 169 nurses in 1996/97) take part in the check-up procedure, as do scores of local and national non-governmental organizations. The Government also plays its part.

334. This check-up can be regarded as providing the most extensive and continuous flow of information on the health status of children between the ages of 5 and 12. The initial results of the school check-up in the 1997/98 academic year show that 44.1% of children nationwide suffered from health problems, with some regional variations; the proportion of pupils with health problems is at its highest in the governorate of the North, where it amounts to 52.4% of all pupils.

Proportion of pupils suffering health problems by geographical region (percentage of all pupils)



Source: Report on the school health programme, 1998.

335. This programme also helps in monitoring the most widespread diseases and how they develop over the years. According to the 1998 report, oral diseases and dental problems ranked first, affecting 16.7% of pupils. These were followed in order of importance by diseases of the throat and tonsils (5.1%), diseases of the ear (3.7%), diseases of the skin, hair and nails (3.6%), diseases of the eye (2.9%) and lastly, other forms of disease. As for the effectiveness of prevention and cure, the cumulative results indicate a noticeable improvement in the health of school pupils, as the percentage of

diseases fell successively between the academic years 1993/94 (60.1%) and 1996/97 (37%). A rise in this percentage, however, was recorded in the year 1997/98 (44.1%).[9]

Increase and fall in the rate of diseases by year (per cent)

Academic year	*Rate of disease*	*Fall (-) or increase (+)*
1990/91	60.1	-
1993/94	46.7	-13.4
1995/96	39.8	-6.9
1996/97	37.0	-2.8
1997/98	44.1	+7.1

Source: Reports of the School Medicine Programme.

336. The final aspect of the advantage of this programme is that it highlighted the need for the establishment of health units in the Ministry of Education and for health advisers in schools, as well as the need for work to start on the introduction of compulsory health cards for pupils. This in turn opens up limitless possibilities for addressing health and social problems in a proper and practical manner.

7.7 Spending on health and health insurance

7.7.1 Government spending

337. Between 1993 and 1998, the share of the Ministry of Health in the overall general budget varied between 2.3% and 3.6%.[10] This budget excludes the majority of projects aimed at renovating and equipping the health sector. It also excludes future plans for which special extrabudgetary spending programmes have been earmarked in laws and programmes derived from the ten-year plan.

338. The sums earmarked for the Ministry of Health more than doubled between 1993 and 1998, although the relative importance of this particular expenditure item did not much alter (from 3.2% to 3.6% of the total budget). More important than the percentage amounts, however, is the distribution of the sums allocated to the Ministry among all the expenditure items and the share received by children.

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[9] Two comments, one specific and one general, should be made concerning this information. The specific comment relates to the low percentage of pupils who suffer from health problems in the governorate of Nabatiyah (and in the south proportionately) in comparison with the other regions. This unreasonably low percentage was apparent in more than one field investigation. The general comment is that this information was gathered from the reports of the non-governmental organizations and doctors who conducted the medical survey. The concern to provide accurate information varies widely in each case, the implication being that the information may be distorted. It is therefore difficult to draw precise conclusions about the development of the health status. The authors of the report also wish to draw attention to the sharp and inexplicable fall in the incidence of oral diseases and dental problems shown in this year's reports (16.8%) in comparison with the previous year (88.6%). It is essential to devote attention to improving the statistical aspect of the programme in order to gain the maximum benefit from this rich source of information on child health.

[10] Ministry of Finance, general budgets.

Distribution of the budget of the Ministry of Health among the different expenditure items between 1993 and 1997 (percentage of its budget)

Expenditure item	*1993*	*1994*	*1995*	*1996*	*1997*
Salaries and wages	7.5	8.3	7.2	7.4	5.7
Medicines	4.3	5.4	6.9	6.9	8.1
Contributions, assistance and subscriptions	1.1	3.0	2.9	2.2	4.6
Treatment costs	83.9	75.8	72.2	76.9	77.8
Other outgoings	3.3	7.5	10.8	6.5	3.7
Total	100	100	100	100	100

Source: Ministry of Public Health.

339. This table indicates that the largest part of the Ministry's budget is spent on covering the costs of treating those who are not private hospital patients (accounting for between 73 and 83% of the Ministry's budget). Most of these costs are for open heart surgery, kidney dialysis and cancer treatments, amounting to several thousand cases, an extremely small proportion of whom are children.

340. Children are in the least need of hospital treatment and benefit more from primary health care programmes and preventive health programmes, which account for a very small share of the total government expenditure. Even a significant portion of the extrabudgetary spending goes on the hospital treatment sector and therapeutic medicine. The sensitivity with which the needs of children are considered is therefore inadequate.

7.7.2 Private spending

341. Lebanon is a country with the distinction of a high health bill which matches neither the quantity nor the quality of its health services. The Government share in the total health bill stands at 31% and the contributions of citizens at 62%.[11] Health is an essential family expenditure item in view of the considerable role played by the private sector in this sensitive social sector. As such, family and child access to health services is conditional on the availability of financial resources for that purpose. According to the study on household living conditions, the average amount which a family spends on health care amounts to 8.6%[12] of its total budget.

7.7.3 Health insurance coverage

342. Only 42% of residents in Lebanon are covered under social and health insurance schemes, with some striking regional discrepancies. A total of 12.6% of inhabitants benefit from the services of the Ministry of Health.[13]

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[11] Features of sustainable human development in Lebanon, UNDP, 1997.

[12] Lebanese Republic, Office of Central Statistics Department, Household living conditions in 1997, Statistical Studies No. 9, February 1998.

[13] Ibid.

Rates of coverage under health insurance schemes by governorate (percentage)

	Lebanon	*Beirut*	*Beirut suburbs*	*Mount Lebanon excluding suburbs*	*North*	*South*	*Nabatiyah*	*Bekaa*
Insured	42.0	55.3	50.2	53.2	43.6	23.5	36.6	35.6
Social insurance	15.2	21.0	19.7	16.9	12.4	10.5	11.5	11.7
Employees' cooperative	13.1	8.1	10.8	13.3	16.8	8.8	14.6	18.4
Insured by employer	1.9	4.3	2.2	2.3	0.9	1.4	1.1	1.5
Other private insurance	8.7	15.4	12.3	16.5	3.3	2.1	8.4	3.2
Combined insurance	2.9	6.5	5.3	4.2	1.2	0.6	1.0	0.9
Uninsured	58.0	44.7	49.8	46.8	65.4	76.5	63.4	64.4
Receiving benefits from the Ministry of Health	12.6	7.8	12.9	8.3	13.1	18.5	16.2	13.9

Source: Household living conditions in 1997.

343. On the basis of age composition, 41.3% of those in the 0-15 age group are insured, a figure which is slightly below the national average. There is also a slight variation between males (42.1%) and females (40.4%). This state of affairs serves to endorse the previous conclusion that children receive no preferential treatment under the Lebanese health system.

344. The infirmaries located throughout Lebanon provide an emergency outlet for the health system, which is characterized by the high cost of care on the one hand and the failure to provide sufficient coverage for the groups which need insurance. In this respect, information contained in the study of household living conditions in 1997 states that 28.5% of inhabitants had attended an infirmary. On the other hand, 33.9% of inhabitants stated that there was no infirmary in their area of residence, 6.5% stated that they were unaware of the existence of any infirmary and 31% stated that they had never attended an infirmary. This gives some idea of the dispersal of (extremely basic) primary health care services in the different regions.[14]

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[14] Ibid.

CHAPTER VIII

DISABLED CHILDREN IN LEBANON

8.1 Introduction

345. Any person researching the subject of disability in Lebanon faces numerous difficulties on different fronts. These start with the choice concerning the definition of disability and are followed by the confusion of statistical information, which makes it impossible to determine with any accuracy the extent of the phenomenon. They then continue with all the complications created as a result of the predominant social attitude towards this group of citizens, who are severely marginalized on various levels. The issue becomes even more difficult when tackling the problem of disability among children.

346. International and national interest in the question of disability and the rights of the disabled has perceptibly increased in recent years, a situation which is linked with the dissemination of concepts such as modern development, empowerment, human rights and so on. Two obstacles in the way of progress towards full accomplishment of the established goals in connection with disability should, however, be pointed out. The first is exemplified in the availability of the financial resources needed to ensure all the rights of disabled persons, particularly in regard to the requirements for their effective integration into society, beginning with the provision of health care and the equipment needed to compensate for the defect caused by the disability and continuing with need to adapt work and home environments and legislate for the achievement of equal rights and social integration. The second obstacle is exemplified in the pastoral attitude which continues to prevail among the public and within the social environment. The developmental attitude based on the concepts of rights and participation is, however, gradually but steadily gaining ground.

347. In this context, progress is being made in addressing the problem of disability in Lebanon, since public opinion is now more sensitive to this issue, as are governmental and non-governmental bodies, even though the actual needs in this area, and in Lebanon's circumstances in particular, outweigh the resources allocated. As such, disabled children are especially affected, as their needs are greater than those of adults and they require extra special care if the situation provided for in the Convention on the Rights of the Child is to be attained.

8.2 Definition of a disabled person

348. In Lebanese legislation, there have never been any one single or uniform reference to disabled persons. Since there is no standardized law on disabled persons, different laws contain references to disabled persons which employ definitions and phrases that not only vary, but are sometimes contradictory.

349. Hence, article 14 of the Social Security Act refers to "children suffering from physical or mental disorders which cause permanent incapacitation...."; article 56 of the Income Tax Act reduces taxation for a male child who is dependant on his father if he "suffers from a complicated disorder and is not engaged in paid employment"; the Emergency Labour Act uses the expression "permanent or temporary incapacitation, whether full or partial, and impairment"; and so on. Article 1 of Act No. 243 of July 1993 defines a disabled person as follows: "A disabled person is any person who experiences difficulty in carrying out any activity which is regarded as essential to daily life owing to incapacitation or a deficiency of his physical or mental abilities."[1]

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[1] See "Proposed bill on disabled persons: definition, classification, the disability card and health, rehabilitation and support services" tabled by the Ministry of Social Affairs and the National Organization for the Affairs of Disabled Persons.

350. Each of these definitions is confined to providing information on the state of disability in accordance with its global definition. The various definitions are not free of contradiction and also confuse disability, infirmity and chronic illness. Agreement as to a unified and comprehensive definition of a disabled person is therefore essential, particularly in view of its necessity in determining which persons should have access to the rights and services for the disabled in the event that the definition is applied to their condition. Article 1 of the proposed law tabled by the National Organization for the Affairs of Disabled Persons contains the following definition, which is consistent with international criteria and is modified to the circumstances in Lebanon:

Article 1

"A disabled person is a person who has little or no ability to:

- Carry out one major vital activity or more;
- Ensure his personal requirements on his own account;
- Participate in social activities on an equal basis with others;
- Guarantee a normal personal and social life in accordance with the criteria prevailing in his society;

"Owing to functional, physical, sensory or mental loss or deficiency, whether full or partial or permanent or temporary, as a result of a congenital or acquired disorder or a pathological condition which, medically speaking, has lasted longer than it should."[2]

8.3 Parties involved in the care of disabled persons

351. The matter of care and concern for disabled persons is the responsibility of the governmental and non-governmental sectors in Lebanon.

8.3.1 The non-governmental sector

352. Since the time when the first care institutions emerged in the 1930s, the number of institutions specializing in affairs of disabled persons has increased to a current total of 82.[3] It is noteworthy that their activities were not considered to be restricted to care alone, but included the provision of other specific services and work in the environment.

353. On the basis of the services which they offer, care institutions are divided into two types:[4]

Residential institutional care providing full board, which is offered by 25% of all care institutions in Lebanon;

Day care institutions, which offer either weekly half board (where the children sleep at home and have lunch at the institution) or services without board (where the disabled person spends half a day in the institution), which are offered by 45% of institutions.

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[2] Ibid.

[3] Guide to services provided by societies and institutions for the disabled, 1998.

[4] Disabled care services in Lebanon, Ministry of Social Affairs and the National Organization for the Affairs of Disabled Persons.

354. These institutions benefit from assistance provided by the Ministry of Social Affairs in accordance with the contracts signed between the two parties, which are renewable on an annual basis. In 1996, 4,096 children with various types of disability were in institutions throughout all governorates that were contracted to the Ministry of Social Affairs.[5]

355. The status of children in the context of care institutions for the disabled differs from one institution to another on the basis of its size, methods, services (rehabilitation, medical, educational and so on), specialist fields and the nature of the child's disability. It should also be pointed out that some of these institutions suffer a variety of problems, such as lack of trained professional specialists, sociologists, nutritionists and psychologists. In addition, some of the equipment and buildings are unsuitable, having been purpose-built for children and orphans who are not disabled.

8.3.2 The governmental sector

(a) Ministry of Social Affairs

356. In 1977, the Government established a specialist unit for the care and rehabilitation of disabled persons, which was run by the Department of Social Welfare. Its functions included the preparation of programmes and the organization of training courses. In 1983, the General Directorate of Social Affairs was created to replace the Department of Social Welfare. This Directorate enters into contracts with non-governmental organizations specializing in the field of disability under which it pays a proportion of the cost of services provided to those who receive assistance on a daily basis. In early 1993, 2,458 disabled persons were receiving support from the Directorate, including 658 who were receiving vocational training in 24 institutions. The cost of this support amounted to almost 2.1 billion Lebanese pounds (US$1,235,000). In 1996, 4,096 disabled persons were supported by the Ministry of Social Affairs and 1,663 of these were receiving training in 39 institutions.

357. On 12 July 1993, following the establishment of the Ministry of Social Affairs in that same year, the National Assembly passed Act No. 243, which provided for the establishment of a permanent national body for the affairs of disabled persons that would be attached to the Ministry of Social Affairs and presided over by the Minister of Social Affairs.[6]

(b) The National Organization for the Affairs of Disabled Persons

358. The establishment of the National Organization for the Affairs of Disabled Persons marked an important turning point in the approach to the subject of disability in Lebanon. Primarily, it was formed on the strength of cooperation and close participation between the Government, represented by the Ministry of Social Affairs, which is responsible for administering the work (four representatives), and the non-governmental sector in the form of four associations representing the four types of disability (motor, aural, visual and mental). Four representatives of disabled persons also play a part in the Organization, which is considered to be one of the most vital and active national organizations in view of its pattern of meetings (about 60 of which have been held since its establishment in September 1993), its working style (modern and computerized) and the substance and methodology of its work.

359. On this score, probably the main progress achieved is that the Organization laid the foundation for the transition from the pastoral attitude towards the question of disability to the approach in which care services are treated as just one element of a methodology based on rights and participation and in which the integration of the disabled into the social environment takes priority over isolating them from it, which is still the prevailing situation.

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[5] 1998 annual report of the Ministry of Social Affairs.

[6] Future plan to ensure the rights of disabled persons, Ministry of Social Affairs and the National Organization for the Affairs of Disabled Persons.

(c) Ministry of Public Health

360. The Ministry of Health devoted special attention to the affairs of the disabled in coordination with UNICEF, the non-governmental sector and other concerned ministries by organizing inoculation campaigns in order to provide protection against poliomyelitis and diseases which cause death or permanent disability in children. In cooperation with WHO, it also carried out training activities in this same field.

8.4 Project to guarantee the rights of the disabled

361. This is the pioneering project adopted by the National Organization for the Affairs of Disabled Persons and implemented by the Ministry of Social Affairs under the supervision of a special joint executive committee of the Organization and the Ministry.

362. The aim of the project is to elaborate an integral social policy for the future with a view to the full integration of disabled persons throughout the whole of society, without regard for narrow-minded views, focusing instead on the value of the human being and on genuine citizenship.

8.4.1 The plan

363. This objective is being achieved by essentially ensuring that:

(i) Legislation on disabled persons is developed to address their rights and circumstances;

(ii) The process of attaining and benefiting from those rights and other privileges is facilitated;

(iii) The relationship between the public and private sectors (institutions or individuals) alters from one based on affiliation (family, political, confessional group and so on) to one based on rights.

364. The elements and methods used to implement the plan were based on realistic data, as a result of which it was inevitably necessary to create particular and effective ways and means of action, as well as the potential for achieving the qualitative leap needed at several levels, in particular by:

- Enacting integral legislation in order to guarantee rights and privileges;
- Introducing a disability card issued on the basis of a detailed classification of disabilities;
- Elaborating a comprehensive study on institutions, associations and organizations working in the service of disabled persons;
- Setting objective and practical criteria and specifications for all services intended for disabled persons.

8.4.2 Achievements

365. The measures hitherto achieved in this field apply to disabled persons as a whole, including disabled children. The main achievements are as follows:

- A slogan was coined to articulate the ambitions embodied in the project;

- Motor, aural, visual and mental disabilities and their causes were classified with the agreement of the relevant doctors' associations and on the basis of the classification adopted by WHO in 1983;

- A total of 146 disabilities (Decree No. 36/1 of 30 June 1995 and the annexes thereto) were classified following the elaboration of a mechanism to amend the Decree in the light of new developments (supplements were introduced pursuant to Government Decree No. 158/1 of 4 July 1997);

- Five specialist centres specific to the project were opened in the five governorates;

- A specialist work team was recruited, consisting of 29 persons working from 8 a.m. to 4 p.m. and 24 consultant doctors providing a guaranteed 129 hours of consultation per week, in addition to which four training courses per year were organized for the work team;

- A computerized system and a special machine database in the Arabic language were developed and put into operation in order to manage operations such as card processing, requests for services and the follow-up of such requests, as well as computerize details of care and follow-up care and produce reports;

- An integral study was completed on the confidentiality of the information gathered and the method of processing it in the machine database;

- On 4 July 1995, the first steps were taken in connection with the introduction of the disability card, pursuant to the aforementioned Decree No. 36/1;

- An agreement was concluded with the Ministry of Public Health granting 100% coverage of surgical operations for all cardholders without need for the additional verification which was previously required. Cardholders are also entitled to obtain other special services, such as artificial limbs, wheelchairs and other aids in accordance with the scheme specified for each case;

- A pamphlet on the criteria for mobility in buildings, streets and elsewhere was produced in cooperation with a company named Solidaire and the United Nations Economic and Social Commission for Western Asia (ESCWA);

- The current legislative status was studied and a general integral directive was drafted. The draft was submitted to the Council of Ministers in May 1996 and was followed up by the Organization and the Ministry in contacts with deputies, ministers and administrators and in correspondence with the presidency of the Council of Ministers, as a result of which the draft general directive was divided into four bills. The first bill is concerned with the definition and classification of disability and with the disabled person's card; the second bill covers adaptation of the environment, housing and education; the third deals with employment, recruitment, social services and taxation; and the fourth regulates the National Organization for the Affairs of Disabled Persons. These bills are now in the hands of the Government and are awaiting its consideration and referral to the legislative bodies;

- On 3 July 1998, a research and studies unit was established to carry out tasks which include producing files on the criteria for services to disabled persons and for the centres which endeavour to provide such services. It has hitherto succeeded in:

. Classifying the services to be covered by the Ministry into 30 types of service (such as wheelchairs, walkers, hearing aids, crutches, nappies and incontinence pads, catheters and so on), divided into 99 categories);

. Completing 13 studies on specialist services;

. Producing an integrated file specifying the criteria for wheelchairs and for the centres which supply mobility aids.

These conditions were promulgated in Ministerial Decree No. 181/1 of 29 July 1998.

366. Society took part in ensuring the success of this plan by:

- Organizing meetings and addressing over 56 letters to administrations and institutions concerned with rehabilitation, education, health and so on;

- Satisfying over 30 requests for information, studies and data submitted by researchers and students, as well as by non-governmental, local and international institutions and government departments;

- Participating in over 17 local, regional and international seminars and workshops;

- Hosting French, Swedish and Arab private and official delegations on visits to learn about Lebanon's achievements in the field of disability and exporting to other countries (Mozambique, Algeria and Palestine) a project to guarantee the rights of disabled persons through private and official foreign organizations and institutions;

- Completing a survey of specialized institutions, publishing a directory of the services which they provide and distributing copies free of charge (1 January 1998).

367. Various results which are indicative of the equal progress accomplished between theoretical studies and practical action can be seen. In that connection, the achievements to date are as follows:

- A total of 18,730 disability cards have been handed out and distributed throughout the whole of Lebanon;

- Three centres have been approved in Beirut, the South and the North which comply with the criteria required for the receipt of aids in accordance with Decree No. 181/1;

- A start has been made on covering the cost of technical aids (wheelchairs, hearing aids, medical footwear, special mattresses and pillows, catheters, urine bags, nappies and incontinence pads, special chairs for children with cerebral palsy and so on);

- The needs of 1,954 disabled persons were met during a consecutive five-month period of work to supply aids in accordance with the approved scheme (Decree No. 181/1);

- Details of the care given in specialist institutions was computerized on the basis of the card files.

368. Some implementation problems have so far emerged that are basically attributable to the confused relationship between hospitals and the Ministry of Health, which limits the extent to which disabled persons are able to benefit from full health coverage. In addition, in order for disabled persons to benefit from all of the privileges which the disability card is presumed to confer (such as lower charges

for public transport and other facilities), it is essential to promulgate a comprehensive law regulating the public and private rights of disabled persons and ensuring that the card serves as a means of identification and as a means of benefit at the same time.

369. It is worth noting that the project supervisors have hitherto deliberately avoided launching any information campaigns to promote the project to ensure the rights of disabled persons. There are several reasons for this, chief among them the priority given to ensuring that the achievements made take firm root, that work on the project continues and, in particular, that the law is approved. Once this is guaranteed, approaches can be made to urge all disabled persons to attend the centres in order to acquire the disability card and consequently obtain all the services which it promises once they are written into law as constituting one of their rights.

8.5 The status of disability in Lebanon

370. Estimates of the number of disabled persons in Lebanon vary as follows:

- In 1970, statistics on the labour force estimated the number of disabled persons at 30,430, constituting 1.4% of the population;
- In 1983, CARITAS estimated the number of disabled persons at 106,533;
- Saint Joseph's University estimated the number of disabled persons at 57,000 as at 1987;
- The Department of Social Welfare recorded statistics of 43,896 disabled persons in 1986.[7]

371. These figures show the wide variations in the estimates of the numbers of disabled persons. In 1998, the Office of Central Statistics published a study on household living conditions[8] which included information on the percentages of disabled persons. This study estimated that disabled persons constituted 1.5% of the total population, which was estimated at 4,005,000 inhabitants, meaning that the number of disabled persons stood at approximately 60,075.

Disability by governorate and age group (per cent)

Age in years	*Lebanon*	*Bekaa*	*Nabatiyah*	*South*	*North*	*Mount Lebanon excluding suburbs*	*Beirut suburbs*	*Beirut*
Under 15	0.9	0.8	1.0	1.3	1.0	0.4	0.9	0.6
15-44	1.5	1.3	2.0	2.2	1.7	1.1	1.3	1.2
45-59	1.6	1.4	2.5	2.7	1.7	1.2	1.3	1.6
60 and above	2.9	1.1	6.9	5.5	3.4	2.6	1.4	2.0
Unspecified	2.7	0	0	16.6	1.5	0	2.6	2.5
Total	1.5	1.1	2.4	2.3	1.6	1.1	1.2	1.2
Males	1.8	1.3	2.6	3.0	2.0	1.4	1.5	1.8
Females	1.1	1.0	2.1	1.6	1.2	0.8	0.8	0.8

Source: Household living conditions, 1997.

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[7] Sulayman Qa'farani, op. cit.

[8] Household living conditions in 1997, Lebanese Republic, Office of Central Statistics, Statistical Studies Series, No. 9, February 1998.

372. The results of the statistical Survey of Population and Housing carried out by the Ministry of Social Affairs (1994-1996) estimated the number of disabled persons at 29,866, or 0.9% of the population. The reason for this low figure could be that an estimate of the number of disabled persons was not listed as a main objective of the statistical Survey of Population and Housing. It is now, however, the subject of an in-depth sectoral study which is complementary to the project. Another reason could be that a narrow definition of disability was used and that citizens have an aversion to disability, which they shun and refuse to acknowledge.

373. Given this confusion in regard to determining the extent of disability as a phenomenon, this report will rely on the information contained in the statistical Survey of Population and Housing in order to analyse the particular characteristics of disabled persons, after covering the matter of the overall number. In other words, the analysis will focus on the domestic components as percentages only.

374. According to the statistical Survey of Population and Housing, the various types of disability suffered by disabled children (from the ages of birth to 17 years) in Lebanon constitute some 20.1% of the total number of disabilities.[9] The following table shows the breakdown of disabled children by type of disability and age.

Breakdown of disabled children by age and type of disability (percentage of the total number of disabled persons)

	Blind	*Deaf*	*Paralysis*	*Limb disability*	*Limb disability other than amputation*	*Mentally disabled*	*Multiple disabilities*	*Other*	*Total*
1-5	0.2	0.8	0.9	0.0	1.7	2.6	1.4	2.2	9.8
6-10	1.2	1.9	4.2	0.3	3.0	7.7	2.4	4.8	9.1
11-15	0.8	3.6	5.2	0.2	4.4	13.7	3.6	5.5	37.0
16-18	1.0	2.6	3.5	0.2	3.3	10.8	1.9	4.1	27.4
Total	3.3	8.9	13.8	0.7	12.5	34.8	9.4	16.5	100

375. It is noticeable from the above table that the percentage of cases of paralysis between the ages of one and five years is low in comparison with the number of cases of paralysis in the following years, which clearly shows the success of the comprehensive inoculation plan undertaken by the Ministry of Health in cooperation with the non-governmental sector and international organizations.

8.6 Causes of disability

376. According to the statistical survey, disease was the main reason for disability (35%), which was followed in order of importance by those suffering from congenital disability (32.1%).

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[9] In accordance with statistics from the Rainbow Institution, which is responsible for arranging issuance of the disability card, the breakdown by age and gender of those who obtained a card (amounting to some 17,000 disabled persons) is as follows: 5% were under six years of age; 33.8% were aged 6-18; 22.6% were aged 19-30; 33.6% were aged 31-65; and 4.8% were aged 66 and over. It is worth noting that this age composition cannot be generally applied to all disabled persons, as those who obtained a card were not a representative sample of disabled persons as a whole.

Causes of disability (per cent)*

Cause of disability	*Percentage*	*Percentage of males*
Disease	35	56.8
Congenital	32.1	57
Accident	14.8	71.1
War	11.9	87.8
Other	5.9	51.9

Source: Statistical Survey of Population and Housing, 1996.

* Extracted from Dr. Sulayman Qa'farani, op. cit.

377. Initial attention is drawn to the fact that some 70% of disabilities are due to health-related causes (disease and congenital defects), which suggests that the health programmes and policies followed in Lebanon, particularly those relating to pregnancy, birth and child health, should be reviewed.[10]

378. It is also noticeable that war as a direct cause of disability ranks last, representing only 11.9% of the total. War and the effects of war, however, can be regarded as an indirect cause of disabilities which occur as a result of disease or which are congenital, given that no medical control is exercised over the medical body itself or over hospitals, medication, nutrition and so on.

379. Finally, it should be pointed out that a considerable number of mental disabilities are congenital in origin, accounting for 42% of the total number of congenital disabilities and over 55% of all mental disabilities.

8.7 The present rehabilitation, social and health policies and programmes in support of disabled persons

380. The vitality and activity of the organizations and bodies working in the field of disability, in addition to the mutual understanding reached with the Ministry of Social Affairs and the Ministry of Public Health, resulted in a number of achievements which may be used as a model for the elaboration of a political and social development plan that draws on the latest techniques and is consistent with local, Arab and international agreements and recommendations.

381. The information and reports to be published by the project to ensure the rights of the disabled as soon as they are complete will make a contribution towards the scientific elaboration of such policies, with emphasis on facts stored in a dynamic database and on continuous development and assessment, as follows:

On the basis of recorded statistics on disabilities, a rehabilitation policy can be outlined;

By determining causality, a treatment policy can be developed;

By discovering the causes of disability, a prevention policy can be identified;

By pinpointing the services required, a policy determining quantitative and qualitative needs can be outlined.

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[10] Also on the basis of data from the Rainbow Institution on the basis of the 17,000 disabled persons who obtained a disability card, the proportion of birth-related disability stands at 26% of the total number of disabilities (of which 13% are congenital illnesses, 9% are genetic diseases and 14% are congenital deformities).

382. It is essential to reinforce and develop the measures which have so far been achieved. The main objective which the National Organization for the Affairs of Disabled Persons is endeavouring to accomplish is to speed up approval of the bills referred to the Government and ensure that they are promulgated as soon as possible.

383. The official approach embraces the philosophy whereby disabled persons are integrated into the social and institutional environment as a whole and whereby services for the disabled are provided by public institutions to the extent possible. This approach is also the one adopted and supported by organizations for the disabled and by disabled persons themselves.

384. The implication of applying this approach in practice is that programmes based on integration and on the provision of services for disabled persons within their family and home environment should gradually receive a higher share of the overall government and non-governmental budgets allocated to the affairs of disabled persons.

385. The Ministry of Social Affairs has now embarked on the first stage of this process by directly supplying technical aids to disabled persons and is making preparations for the second stage of supplying treatment and assessment services through physiotherapy, speech therapy, occupational therapy and so on, with constant monitoring of the quality and appropriateness of the service in each case.

386. The adoption of the four interrelated and integral parts of the draft directive on disabled persons will, on the one hand, eliminate the frustration suffered by disabled persons, specifically in the fields of employment and education, and by disabled children in particular. It will also enshrine the right to develop and adapt the environment in order to make it easier for disabled persons to cultivate their abilities, interact with their community and enjoy full and undiminished citizenship.

387. During the forthcoming period, government and non-governmental efforts will therefore concentrate on furthering the achievements already accomplished and will endeavour in particular to integrate disabled persons, ensure their participation in all fields of life without distinction and guarantee embodiment of the principle of full participation and equality. The first task is to develop legislation, as it is the only means by which to enshrine the rights of disabled persons in legal form.

CHAPTER IX

CHILD LABOUR IN LEBANON

9.1 Introduction

388. During the years of economic prosperity prior to the war (1975), child labour in Lebanon existed only on a limited scale. Although this is not to deny its existence on a wider scale, the fact that it was not a widespread phenomenon, coupled with the fact that today's common international and national awareness of the concept of the rights of the child was then unknown, excluded the matter from the priorities of concern to the public and to the decision-makers alike.[1]

389. However, the previous status quo has changed a great deal. On the one hand, as a result of the war, the standard of living in general deteriorated and the enforced displacement had the effect of shattering the working relationships which had existed previously, in turn affecting the status of the family itself and the role of its members. On the other hand, however, more international and national attention was being devoted to children, as exemplified in a series of agreements, charters and international conferences, including the adoption of the Convention on the Rights of the Child and its signature by the largest number of Member States of the United Nations, among them Lebanon. This development represented a major step towards acknowledging the difficulties of children, including the fact that they are economically exploited by being employed from an early age in unsuitable conditions.

390. Since the time of Lebanon's signature of the Convention on the Rights of the Child in 1991, more attention has been devoted to assessing the phenomenon of child employment, initially by determining its extent, the direct and indirect reasons for its emergence and the means of dealing with it. This is regarded as a concrete step forward and is one of the immediate positive effects of the adoption and signature of the Convention, since the first essential step along the way in dealing with a problem is to acknowledge its existence.

9.2 Lebanon and international conventions on child employment

391. In addition to signing the Convention on the Rights of the Child, Lebanon also signed a number of international and Arab conventions on the employment of young persons and is continuing to explore the possibility of signing other conventions. As for the conventions of the Arab Labour Organization, Lebanon signed Treaty No. 3 concerning the minimum medical insurance and is currently exploring the possibility of acceding to two main conventions, namely:

> The International Labour Organization (ILO) Convention No. 3 and Recommendation No. 146 annexed thereto on the minimum age of child employment (1973), which provides that the age at which compulsory education is completed should be no less than 15 years in all cases, although it also provides for the possibility whereby this age is lowered to 14 years in the case of States

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[1] This chapter was based on two key reports: "Report on child employment in Lebanon", Haifa' Hamdan, International Labour Organization (ILO), International Programme for the Elimination of Child Employment; and "Features of the employment of children between the ages of 10 and 17 as shown by the statistical Survey of Population and Housing", a report by Dr. Najib Issa and Dr. Marwan Huri, Ministry of Social Affairs and UNICEF, November 1997. Material from these two reports has been used throughout the text and no separate references are therefore made to them in any specific place. Some use was also made of a working paper published by UNICEF in January 1995 and entitled "An initial study of the situation of child workers in Lebanon", by Dr. Ali Balut, Dr. Tanus Shalhub and Dr. Bashir Ismat, and of a working paper published by the UNICEF Regional Office for Education in the Arab States, Beirut, in February 1997, entitled 'Project for the vocational rehabilitation of child workers in Lebanon' and written by the above authors and Najwa Basil in addition.

whose economies and educational systems are not yet sufficiently developed. This Convention also stipulates that children under eight years of age should not be employed in any job that endangers their health, safety or morals.

The Arab Labour Organization Convention No. 18 on child labour (1996), which specifies the minimum age for child employment as 13 full years, provided that this is no lower than the age at which compulsory education is completed. It also stipulates a minimum age for employment that varies in accordance with the type of work, as well as other conditions, such as the need to obtain a medical certificate and the requirement for the minimum child wage to equal the official minimum wage. It also stipulates the number of working hours, annual leave and the coverage provided by social security institutions.

392. These international and Arab conventions are of varying significance and may also contain opposing or contradictory provisions. The basic provisions, however, particularly in the two latter conventions, endeavour to provide additional protection for child workers which, in certain respects, extends further than the basic general protection provided by the Convention on the Rights of the Child. The field of discussion here is too narrow to survey the content of these conventions in detail and consequently identify the points on which they are in conformity or conflict with the national legislation, a task which should be carried out by the responsible parties concerned. Within the confines of this report, however, it is possible to determine from the information contained in the following sections the contradictions with the main points contained in these conventions.

9.3 The national legislative framework

393. Child employment is subject to the Labour Act (in force since 1946), which comprises a number of articles and annexes regulating child labour. Until the date of the most recent amendment in July 1996, eight years was the minimum age pursuant to the Labour Act under which children could not be employed. A distinction was also made between children aged between 8 and 13 years and juveniles, namely those aged between 13 and 16 years (articles 21 and 22 of the Labour Act prior to its amendment). The law stipulated special conditions for the employment of children and juveniles (between the ages of 8 and 16) in connection with the type of work, working hours, the requirement to obtain a certificate of good health and so on (articles 22-25 of the Labour Act). It is evident from the above details that the law provides no special protection for workers aged between 16 and 18 years.

394. On 24 July 1996, various paragraphs of the Labour Act relating to child labour were amended, resulting in promulgation of the Labour Act No. 536. These amendments had been recommended by a committee composed of members of the Ministries of Labour and Justice and considered by the Ministry of Labour and the Parliamentary Committee on the Rights of the Child in discussions attended by the Higher Council for Childhood, UNICEF and various non-governmental organizations concerned with child affairs. The text of the decision clearly stated that this amendment was imperative following the Lebanese Government's signature of the Convention on the Rights of the Child on 20 November 1990.[2]

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[2] The reasons necessitating the amendment of articles 21, 22 and 23 of the Labour Act No. 536 of 24 July 1996 are as follows: much international concern is currently devoted to childhood issues and the rights of the child inasmuch as the child of today is the adult of tomorrow. This concern resulted in the adoption of the Convention on the Rights of the Child on 20 November 1988 by the General Assembly of the United Nations, following which the largest summit conference in history was held on 30 July 1990 to proclaim the World Declaration on the Rights of the Child, which comprises a plan of action to the year 2000 for achievement of the objectives of the Convention. Having acceded to the Convention on 18 November 1991, Lebanon devoted every attention to the rights of the child and embarked on efforts to bring its relevant legislative acts on children into line with the provisions of the Convention and the international conventions on children which preceded it, particularly in matters of employment. As it is necessary under these conventions to set minimum limits for the employment of children, it was also necessary accordingly to amend articles 21, 22 and 23 of the Labour Act in connection with child employment and set the age of employment in order for Lebanon to fulfil the commitments into which it

395. The amendment consisted in raising the minimum age permissible by law for the employment of children from 8 to 13 full years and raising the age at which legal protection is still provided from 16 to 18 years. The Labour Act, however, is still inconsistent with the Convention on the Rights of the Child in some areas that were not included under this amendment, such as the laws on the minimum wage, pursuant to which employers are not required to pay the minimum wage to workers or employees until they attain 20 years of age.

396. As for the conditions concerning the employment of juveniles, the law provides for special protection measures, as it specifies the activities which it is permissible for them to carry out in two annexes which are currently being amended. The articles of the law also provide for other measures concerning in particular (in addition to setting the minimum legal age for employment) the following:

The maximum permissible number of working hours, which is seven hours per day, interspersed by one hour of rest if the period of work lasts more than four hours. Child employment is prohibited between the hours of 7 p.m. and 7 a.m.;

Conditions of employment: It is prohibited to employ juveniles unless they have been given, free of charge, a medical examination to ascertain their suitability for the job which they are to perform;

Prohibited activities, unless specific conditions are fulfilled: It is prohibited to employ juveniles before they attain 17 years of age in activities which endanger their lives, health or morals owing to the conditions in which the work is carried out.

397. These provisions, however, are insufficient to provide the necessary protection and efforts are being made in the Ministry of Labour to remedy the gaps in the law itself. First is the endeavour to increase the fines imposed for contravention of the articles relating to the employment of juveniles, since, at their current levels, the fines stipulated fail to act as a deterrent. A decree has therefore been drafted to that end, together with a decree prohibiting the employment of juveniles under 16 or 17 years of age, depending on the degree of risk entailed, in activities which are intrinsically dangerous or which endanger life, health or morals owing to the circumstances in which they are performed.

Comparison of the former text and the amended text of articles 21, 22 and 23 of the Labour Act

Former text	**New text**
Article 21: The word "children" means those who are under 13 years of age and the word "juveniles" means those who are over 13 years of age and under 16 years of age. No distinction is made between males and females.	**New article 21:** The employment of juveniles who are under 18 years of age is subject to the provisions contained in this section.
Article 22: It is prohibited to employ children in any of the mechanical industries and in any of the activities stated in annexes 1 and 2 of this Act. Under no circumstances may any person under 8 years of age be employed.	**New article 22:** It is categorically prohibited to employ juveniles before they attain 13 years of age and no juvenile may be employed without having undergone a medical examination to ascertain his suitability to perform the activities for which purpose he is to be employed.

entered under those conventions. The age of employment was therefore raised from 8 to 12 years as a general rule and from 12 to 15 years in the case of physically demanding jobs.

Former text	*New text*
Article 23:	**New article 23:**
It is prohibited to employ juveniles in the industries and activities stated in annex 1 of this Act. Moreover, their employment in the industries and jobs stated in annex 2 is subject to a medical certificate establishing their physical capacity for work in such industries. This certificate is to be provided free of charge by the health authority and may be temporarily withdrawn if the juvenile becomes incapacitated. All persons are prohibited to employ children and juveniles: 1. For more than seven hours. If the period of work exceeds four hours in duration, it must be interspersed by at least one hour of rest. 2. Between the hours of 7 p.m. and 7 a.m. 3. In activities which are physically demanding or unsuitable for their age.	It is prohibited to employ juveniles who are under 15 years of age in industrial projects and activities which are physically demanding or detrimental to health, as set out in schedules 1 and 2 annexed to this Act. It is also prohibited to employ juveniles who are under 16 years of age in activities which are intrinsically dangerous or which endanger life, health or morals owing to the circumstances in which they are carried out. Such activities shall be determined by a decree adopted by the Council of Ministers on the proposal of the Ministry of Labour. It is prohibited to employ juveniles in the activities mentioned in the two previous paragraphs for more than seven hours daily, interspersed by at least one hour of rest if the period of work exceeds four hours of continuous duration. It is also prohibited to employ juveniles between the hours of 7 p.m. and 7 a.m. Juveniles must be granted a period of rest of not less than 13 consecutive hours between each two periods of work.

9.4 Extent of the phenomenon

398. The report uses the findings of the Survey of Population and Housing as a basis for assessing the extent of child labour as a phenomenon in Lebanon. As the survey provides no information on the employment of children who are under 10 years of age, it is the 10-17 age group that is included in the study and analysis. It should be noted, however, that children under the age of 10 are rarely employed, which can also be inferred from the clear downward trend in the number and percentage of child workers as the age decreases (there are only 229 child workers aged 10).

399. Before starting to assess the extent of the phenomenon of child labour, it is worth pointing out that the definition of a child worker includes only children who are engaged in or seeking work, whether paid or unpaid, which is regular enough to interfere with their education or with their physical and mental development or to endanger or harm them or their health. In accordance with this definition, temporary and seasonal work which children perform on an intermittent basis is excluded, as is any assistance which they provide to other family members in work inside or outside the home that does not adversely affect their education and proper development in any permanent way.

400. Child employment occurs mainly in agriculture on a seasonal basis and during harvest periods and is not accounted for in the statistical studies mentioned. Despite the seasonal and family nature of this work, it is sometimes done at the expense of school, from which children may be absent for periods of anywhere between a few days and several weeks in accordance with the type of farming. The Union of Southern Tobacco Growers, for example, estimates that no fewer than 25,000 children are employed in tobacco farming at an average rate of three children per family. The age of such children, who are of both sexes, ranges between 7 and 14 years and they work only during the daytime during the cultivation season and when the tobacco is picked and dried, which is between June and September. Of these, 90% are working for their families and 10% are from destitute families whose children are obliged to work

for others. The education of such children is interrupted for periods which may exceed one month so that they can provide a helping hand during the cultivation and drying season.[3]

401. In accordance with the aforementioned definition, the number of children aged between 10 and 18 is estimated at about 43,415, representing 8.3% of all children within this age group and about 4.6% of the total workforce. For the purposes of this report, these are subdivided into two groups. The first group consists of child workers aged over 10 and under 14 employed contrary to the law from the time of the amendment passed in July 1996, which specified the age of 13 full years as the legal minimum age at which children could be employed. The second group consists of children in the 14-17 age group, who may be employed within the conditions stipulated in the Labour Act and whose numbers stand at 38,307, constituting 14.5% of the corresponding age group.

402. This distinction between the 10-13 and 14-17 age groups is essential for more than one reason, the main one being that over 5,000 children aged under 14 are regularly employed contrary to the Lebanese Labour Act. Similarly, they are denied their rights to a greater extent than the higher age group to the point where they are deprived of primary education, whereas the workers in the 14-17 age group are drop-outs from the intermediate or secondary stages of school.

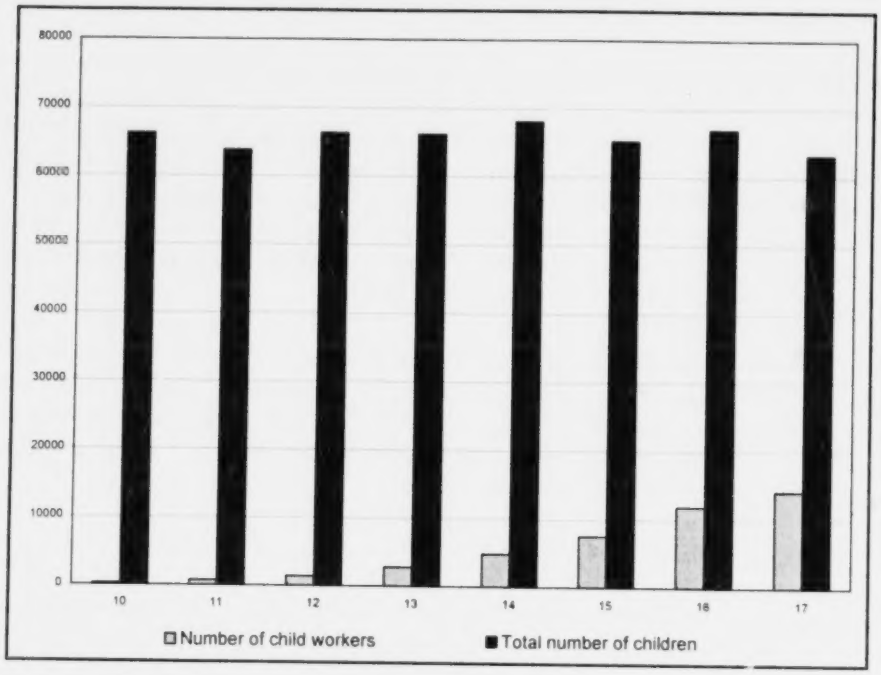
Child workers by individual years of age (number and percentage of the total age group)

Age in years	*Number of workers*	*Total number of children*	*Percentage of child workers*	*Number of child workers registered in the social security fund**
10	229	66 166	0.3	52
11	710	63 751	1.1	19
12	1 395	66 316	2.1	8
13	2 774	66 127	4.2	15
10-13	**5 108**	**262 360**	**1.9**	**94**
14	4 825	68 058	7.1	32
15	7 511	65 223	11.5	126
16	11 842	66 941	17.7	339
17	14 129	63 244	22.3	804
14-17	**38 307**	**263 466**	**14.5**	**1 301**
10-17	43 415	525 826	8.3	1 395

Source: Statistical Survey of Population and Housing, 1996.

* Computerized unit in the National Social Security Fund, 1998.

[3] From a lecture on child labour in the agricultural sector given by the president of the Union of Southern Tobacco Growers during a seminar on the employment of children and juveniles in Lebanon. The Union's estimates of the number of child workers may be inaccurate. It is worth noting, however, that tobacco cultivation in the south is a family activity par excellence in which all family members take part without exception, which more or less implies that all children and wives of tobacco growers are employed in this branch of agriculture, particularly during the drying season.



9.5 Geographical distribution of child workers

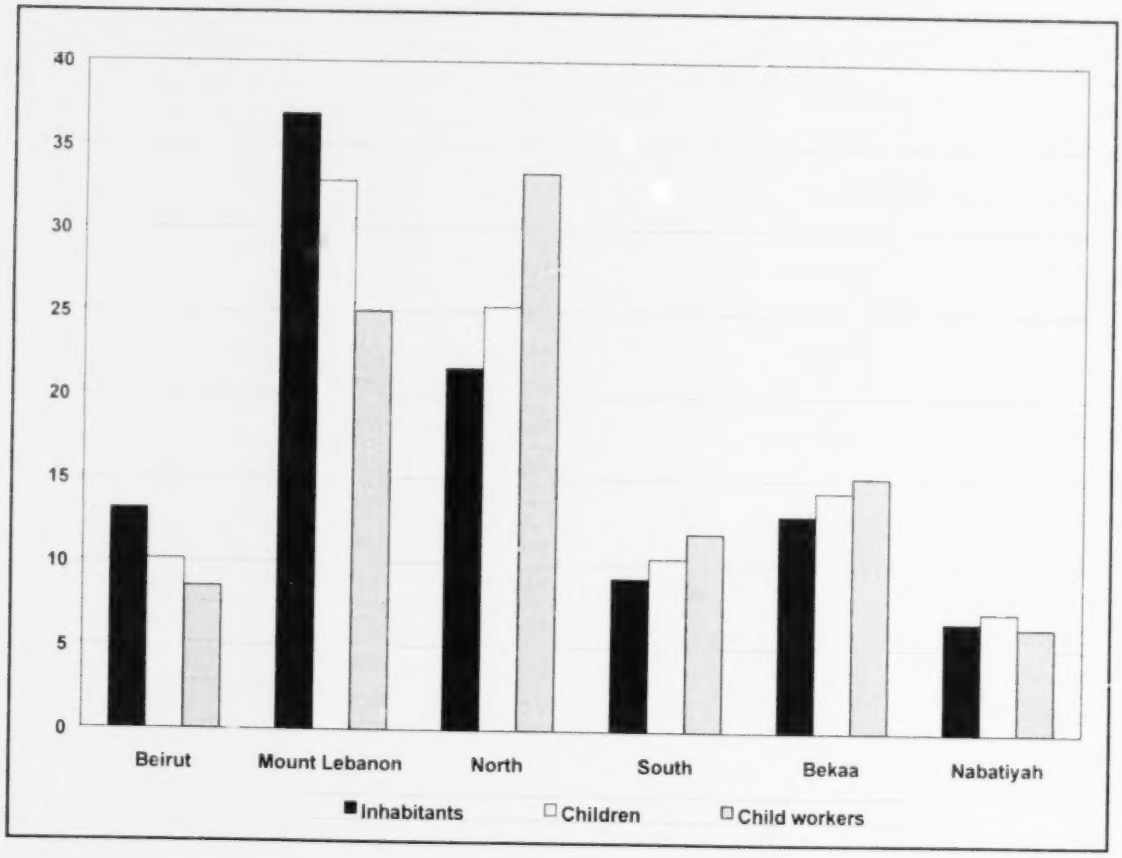
403. The employment of children (aged 10 to 17) is geographically concentrated in those regions which are relatively deprived. The highest rates of child employment are recorded in the governorates where the basic indicators of development are generally low. The actual numbers also depend on the total number of inhabitants in the governorate. The governorate of the North therefore has the greatest share, standing at 33.3% of the total number of child workers, even though it has a share of 25.3% of the total number of children and 21.6% of the total number of inhabitants.

404. It is also noticeable that that the employment of children (from the two groups) in the governorate of the North is essentially concentrated in the three districts of Tripoli (14.1%), Akkar (10.4%) and Minyah (6%). In the governorate of Mount Lebanon, the concentration occurs mostly in the two districts of Baabda (9.7%) and Matn (7.9%). Burj al-Barajaneh has the highest rate of child employment in the district of Baabda, whereas Burj Hamud has the highest rate in the district of Matn. The overwhelming majority of child workers in the governorate of Bekaa are concentrated in the districts of Baalbek (6.5%) and Zahleh (4.4%). Most child employment in the governorate of the South is concentrated in the districts of Saidon (5.8%) and Tyre (also 5.8%).

Breakdown of inhabitants, children and child workers by governorate (per cent)

Governorate	*Percentage of total inhabitants of Lebanon*	*Percentage of total children in Lebanon*	*Percentage of total child workers*
Beirut	13.1	10.1	8.5
Mount Lebanon	36.8	32.8	25.0
North	21.6	25.3	33.3
South	9.1	10.3	11.8
Bekaa	12.9	14.3	15.2
Nabatiyah	6.6	7.2	6.3
Lebanon	100	100	100

Source: Statistical Survey of Population and Housing, 1996.



Breakdown of child workers by district and age group (number and%)

	From 10-13	*From 14-17*	*From 10-17*	*Percentage of total*
Beirut	**429**	**3 248**	**3 677**	**8.5**
Baabda	274	3 935	4 209	9.7
Matn	201	3 226	3 427	7.9
Shuf	92	859	951	2.2
Aley	134	869	1 003	2.3
Kasrawan	42	693	735	1.7
Jubayl	0	512	512	1.2
Governorate of Mount Lebanon	**743**	**10 094**	**10 837**	**20.0**
Minyah	446	2 168	2 614	6.0
Tripoli	1 205	4 934	6 139	14.1
Kurah	20	263	283	0.7
Zghrata	30	569	599	1.4
Batrun	21	165	186	0.4
Akkar	618	3 884	4 025	10.4
Bushri	0	130	130	0.3
Governorate of the North	**2 340**	**12 113**	**14 453**	**33.3**
Saidon	262	2 278	2 540	5.8
Tyre	195	2 325	2 520	5.8
Jazzin	0	60	60	0.1
Governorate of the South	**457**	**4 663**	**5 120**	**11.8**
Zahleh	220	1 679	1 899	4.4
Western Bekaa	12	684	696	1.6
Baalbek	437	2 396	2 833	6.5
Harmal	193	612	805	1.9
Rashayya	20	364	384	0.9
Governorate of Bekaa	**882**	**5 735**	**6 617**	**10.2**
Nabatiyah	185	1 192	1 377	3.2
Bint Jubayl	36	667	703	1.6
Marjayoun	28	449	477	1.1
Hasbayya	10	150	160	0.4
Governorate of Nabatiyah	**259**	**2 458**	**2 717**	**6.3**
Lebanon	5 110	38 311	43 421	100

Source: Statistical Survey of Population and Housing, 1996.

9.6 General characteristics of child workers

9.6.1 Breakdown by sex and age subgroup

405. The number of child workers in the 10-17 age group is estimated at 43,415, consisting of 11.8% aged between 10 and 13 years and 88.2% aged between 14 and 17 years, broken down into 87.5% who are males and 15.5% who are females. The tendency to employ males is related to the wider range of jobs which males are able to pursue in comparison with females, as a result of which there is a higher school drop-out rate among males, with a high male-female ratio - particularly in government schools - at the time of transition from the primary stage to the intermediate and secondary stages (see the section on education).

406. Records also show that the percentage of females in the youngest age group of child workers (10-13 years) stands at 10.6% of the total number of child workers in this group, compared with 12.7% in the case of the other age group (14-17 years).

Child workers by age and sex (percentage)

Sex	*10-13 years*	*14-17 years*	*10-17 years*
Male	89.4	87.3	87.5
Female	10.6	12.7	12.5
Total	100	100	100

Source: Statistical Survey of Population and Housing, 1996.

9.6.2 Educational attainment of child workers and the heads of their households

407. The overall percentage of illiteracy in Lebanon (among those aged 10 and above) stands at 13.6%, although the rate is much lower among the older age groups, standing at only 2.1% among the 10-14 age group and 3.6% among the 15-19 age group.

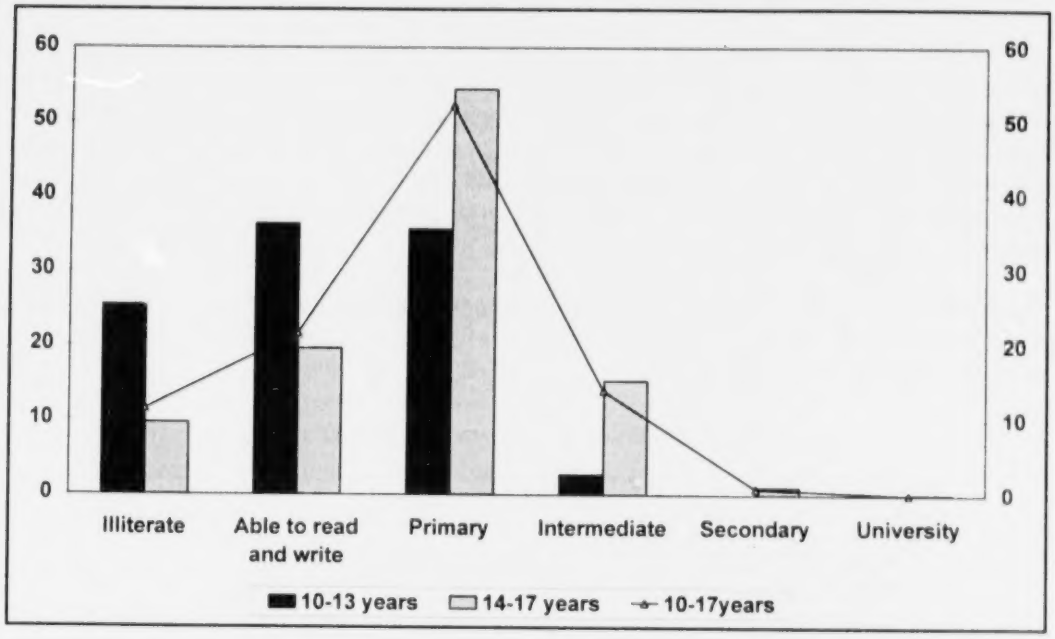
408. Mirroring the low educational attainment, the illiteracy rate is noticeably higher among child workers, as early admission to the employment market undoubtedly occurs at the expense of one of the most important rights of the child, namely the right to education (as well as at the expense of other rights, such as the right to leisure and recreation, the right to a healthy life and sound development and so on). Statistical information indicates that illiterates and semi-illiterates make up 33.1% of the total number of child workers. Amounting to 61.7%, the rate is higher among child workers aged between 10 and 13 years.

Educational attainment of child workers (per cent)

	10-13	*14-17*	*10-17*
Illiterate	25.4	9.6	11.5
Able to read and write	36.3	19.6	21.6
Primary	35.6	54.4	52.2
Intermediate	2.7	15.3	13.9
Secondary	-	1.0	0.8
University	-	0.1	0.0
Total	100	100	100

Source: Statistical Survey of Population and Housing, 1996.

Educational attainment of child workers
(per cent)



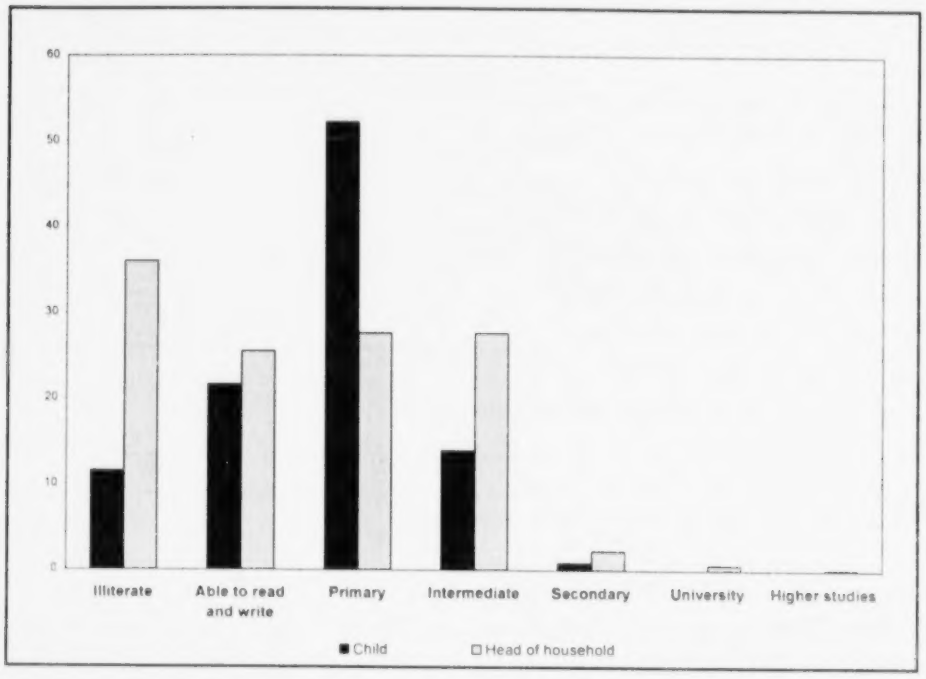
409. Comparing the educational attainment of child workers with that of the heads of the households to which they belong, it is also noticeable that a high proportion are illiterate and semi-illiterate. Generally speaking, it is possible to make a connection between the educational attainment of the head of the household and that of the child worker, even though the child generation is better educated than the parent generation, as is clear from the following table:

Educational attainment of child workers and the heads of their households
(per cent)

	Child	*Head of household*
Illiterate	11.5	36.0
Able to read and write	21.6	25.5
Primary	52.2	27.6
Intermediate	13.9	27.6
Secondary	0.8	2.2
University	0.0	0.6
Higher studies	-	0.1
Total	100	100

Source: Statistical Survey of Population and Housing, 1996.

Educational attainment of child workers and the heads of their households (per cent)



9.6.3 Main occupation of child workers and the heads of their households

410. The highest percentage of child workers are those who engage in paid work for others or for their relatives (81%), which eliminates any doubt that child employment is a type of unpaid assistance to the family or that it is unconnected to the worsening living conditions in families and their need for additional sources of income.

411. In the 10-13 age group, child labour is concentrated in five occupational groups that constitute 84% of the workers in this group. Similarly, 81% of child workers in the 14-17 age group are concentrated in seven occupational groups, four of which are shared with the younger group (see the following table). On examining the list of the occupations in which children are employed, it is clear that they include activities which are a strain on or danger to their physical health and sound development, such as work in mining facilities, electrical assembly plants, tanneries and quarries, as well as activities such as stone-cutting and chiselling, apart from the fact that it is prohibited by law to employ children under the age of 14.

Main occupations of child workers and the heads of their households
(per cent)

Occupation		*Child workers*		*Heads of household*	
		10-13	*14-17*	*10-13*	*14-17*
72	Workers employed in mining facilities and in the repair and assembly of electrical and electronic equipment	33.8	24.6	5.6	5
74	Other workers in skilled occupations*	21.7	15.3	11.9	8
92	Agricultural workers, fishermen and similar	10	6.4	8.9	5.3
52	Vendors, sales assistants and workers in the fashion industry	9.3	11.2	7.9	9.8
71	Miners, quarriers, stone cutters and chisellers	8.7	11.3	9.1	7.7
51	Workers in personal and protection services	-	6.6	-	-
72	Operators of fixed machinery	-	6	-	-
61	Farmers and skilled labourers in agriculture and the fishing industry	-	-	10.9	8.3
83	Machine and equipment drivers and operators	-	-	8.6	7.8
91	Unskilled workers and employees in the sales and services sector	-	-	4.5	4.1
93	Unskilled workers in mining, construction, public works, industry and transport	-	-	4.5	4.1
	Unemployed			13.6	19.4

Source: Characteristics of child employment, Issa and Huri.

* Preparation of food products, the furniture trade, textiles and clothing, leather and footwear.

412. In regard to the main occupation of the head of the household, the above table indicates that fathers and sons engage in similar occupations, all of which are low-paid. The two main points to add to this comparison are that a high percentage of heads of household are unemployed, to the tune of 13.6% and 19.4%, and that a significant proportion of heads of households in which there are child workers are farmers and skilled labourers in agriculture and the fishing industry (10.9% and 8.3%), whereas this occupational category is not one in which child workers themselves are concentrated.

9.7 Future guidelines

413. One comment which should be made is that, in recent years, more attention has clearly been devoted at the official and non-governmental levels to the phenomenon of child labour in Lebanon, particularly following Lebanon's signature of the Convention on the Rights of the Child. The evidence of such attention includes the acknowledgment and study of the phenomenon and the adoption of legislative and practical steps to deal with it (such as the children's march against unemployment which took place on 21 June 1998).

414. In addition to Decree No. 536, which stipulates the minimum age and the other conditions of child employment, and the compulsory education requirement and its linkage with child employment, the legislative institutions are currently examining two bills which were referred to the Lebanese council responsible for developing legislation in this field. These bills, which were referred by the Ministry of Labour in conjunction with the committee emanating from the conference on the situation of child labour in Lebanon and comprising representatives from the Government and non-governmental sectors, are as follows:

(i) A bill to amend the amount of the fines for contraventions of the Labour Act and for the employment of aliens without a work permit. This amendment is now necessary because the fines specified are now negligible as a result of inflation and the monetary decline which occurred during the war years.

(ii) A bill to enlarge and update schedules 1 and 2, which specify the activities in which it is prohibited to employ children or in which it is permissible to do so if certain conditions are satisfied. This amendment is now necessary because the two schedules contained in the Labour Act of 1946 are outdated, having undergone no amendments since that date.

9.8 General conclusions

415. Having analysed the information essentially derived from the findings of the statistical Survey of Population and Housing, it is possible to draw the following conclusions:

(a) The phenomenon of child labour is present in Lebanon and affects Lebanese children, who account for 90% of child workers in the 10-13 age group and 95% of child workers in the 14-17 age group. Most of the child workers who are not Lebanese are Syrian and Palestinian.

(b) Child labour is linked with the low indicators for development in general and is geographically concentrated primarily in the governorate of the North, with the other governorates following. Within the governorates themselves, it is concentrated in some districts to the exclusion of others. Accordingly, in the governorate of the North, it is concentrated in the districts of Tripoli, Akkar and Minyah (which account for 97% of the total child employment in the governorate); in the governorate of Mount Lebanon, it is concentrated in the districts of Baabda and Matn, which include the suburbs of the capital, Beirut, and particularly in Burj al-Barajaneh in Baabda and Burj Hamud in Matn; in the governorate of Bekaa, it is concentrated in the districts of Baalbek, Zahleh and Harmal; and in the governorate of the South, it is concentrated in the districts of Saidon and Tyre. What is noticeable is that, with the exception of the rural districts of Akkar and Harmal, the districts in which child labour is concentrated are either urban or contain large urban centres, thus indicating the urban character of child labour in Lebanon (although it should be noted that that the definition of child labour used essentially excludes the most common types of child labour in rural and agricultural regions).

(c) Child workers come from families with low standards of living, since the unemployment rates among the heads of the households to which they belong are high in comparison with the national rates or else they work in low-paid occupations. Their educational attainment is also low. Child workers share these same characteristics and generally work in similar occupations to their fathers. Their educational attainment is also lower than that of their peers who continue with their studies. On the basis of sample surveys, economic need is reportedly the main reason for the employment of child workers (50%), compared with 33% who are making efforts to acquire an occupational skill and 14% who are school failures.[4]

[4] The situation of child workers in Lebanon, UNICEF, op. cit.

CHAPTER X

CHILDREN IN SITUATIONS OF ARMED CONFLICT

10.1 Introduction

416. A key report on the status of children in Lebanon and violations of the rights of the child cannot help but give precedence to the children still living in situations of war and armed conflict and to the effects of such situations. Almost 10% of the area of Lebanon is directly occupied by the State of Israel and an even larger area, inhabited by tens of thousands of families and children, comes under almost daily attack. It is consequently only natural that the status of children in that area should head the list of national and international priorities in connection with following up the commitment to the Convention on the Rights of the Child.

417. Most of the rights stipulated in the Convention on the Rights of the Child are violated on a daily basis, in particular:

- Their right to life is violated by the daily shelling attacks, which endanger their lives;

- Their right to survival, healthy development and a secure existence in stable families is threatened by the human and material losses and the displacement to which they are subjected;

- Their right to good educational and health services, to play and recreation and to culture and free leisure time is violated;

- Their right to national affiliation and to maintain links with their homeland (as in the case of children in the occupied strip) is not respected. On the contrary, they are forced into conscription in order to serve the client militia who are fighting their fellow countrymen;

- Their right to personal freedom and freedom of movement is violated by the decisions to carry out blockades, sudden raids and impose exile. Moreover, they are liable to be wrongfully arrested and tortured by an occupying army and its clients.

418. This subject is of particular significance to this report, covering as it does the period between 1993 and 1998, during which two extensive attacks were launched on the south and on Lebanon. The first of these was the Seven-Day War of July 1993, an out-and-out war conducted from the air that resulted in the displacement of half a million citizens, as well as substantial human and material losses (approximately 20,000 homes having been damaged). The second war, known as Operation Grapes of Wrath, took place in April 1996 and continued for three weeks, during which 700,000 persons were displaced. It was also interspersed by a series of massacres, most notably the Qana massacre which took place in the headquarters of the international forces and included an high percentage of children among its victims.

419. Another point which must be made is that the status of children in the southern areas of the country is part and parcel of the general situation and is difficult to separate from it, as it is a result of the foreign occupation forced on everyone. Children are not therefore the only victims of the shelling, which also include their fathers, mothers and siblings. When the financial provider loses his fields and his employment, the living conditions of the family and its children are affected, and when a family is displaced, it is also the children who are particularly damaged by it. In this sense, any violation which affects the rights of the child is a result of the general violation of the rights of citizens. This is the basis on which the general situation in the region is discussed in this chapter in an attempt to single out the circumstances to which children in particular are exposed as an additional element.

10.2 Daily attacks

420. The Israeli attacks on the south date back to 1948, when Israel seized the whole of Upper Galilee following the decision to partition Palestine. Lebanon's southern borders were therefore targeted by Israeli gangs and some 15 southern villages came under occupation. These gangs perpetrated mass butchery in the border township of Hula in October 1948 and 93 citizens were killed. This was followed by a series of Israeli military attacks and operations that included most of the villages and townships in the currently occupied border strip. They also affected the southern villages as far away from the strip as the town of Saidon.

421. On 16 March 1978, Israel occupied a large part of southern Lebanese territory in the so-called Operation Litani. Immediately after this invasion, Israel retained under its control some 800 square kilometres of Lebanon's original area to within range of the towns of Nabatiyah and Tyre. The United Nations Security Council then adopted resolution 425 (1978) in which it condemned the Israeli operation and called upon Israel immediately to cease its military action against Lebanese territorial integrity and withdraw forthwith its forces from all Lebanese territory. It also called for strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized borders. Despite the resolutions subsequently adopted which emphasized the need for implementation of Security Council resolution 425 (1978), Israel failed to comply. The resolution remained unimplemented and the Lebanese State, together with the Lebanese people, using every available means, requested the international community to ensure implementation of this resolution which restores to the country its national sovereignty.

422. On 13 June 1978, Israel announced the withdrawal of its troops from the banks of the river to the border region. At the same time, the client, Major Sa'ad Haddad, declared the establishment of "free Lebanon" and the "Southern Lebanon Army" in the border region, which was known as the "security belt".

423. On 4 June 1978, the Israeli enemy invaded Lebanon and the occupying army infiltrated deep into Lebanese territory as far as the capital, Beirut. The first Israeli invasion of an Arab capital, it left heavy devastation in its wake, having wreaked deliberate havoc on the infrastructure and the national economy and caused inestimable human and social tragedies as a result of killing and displacement which Lebanon had never before experienced.

424. From the end of September 1982, under pressure from the armed national and civil resistance launched against them, the Israeli troops began their withdrawal from Beirut and its suburbs. The last of their partial withdrawals ended in February 1985 and they then settled in the border region or the so-called "border strip", the area of which is about 1,000 square kilometres, or one-tenth of the area of Lebanon and half of the area of the south. This situation is still ongoing at the present time.

10.3 Israeli practices against Lebanon between the aggression of July 1993 and 1998

425. The Israeli attacks on Lebanon in general and on the south in particular did not end following the last withdrawal operation and the localization of troops in the border region, despite the resolutions stating that civilians on either side of the borders should not be exposed to attack. On its part, Israel failed to comply with these resolutions and engaged in reprisal activities manifested in different forms of violence, such as: carrying out land and air attacks on villages and townships using internationally prohibited shells, including nail bombs, phosphorus bombs and fragmentation bombs; destroying homes; killing and wounding scores of civilians; torching land and farms; arresting and abducting citizens; and besieging sea ports. Not even the centres of the international forces and their soldiers were spared.

426. The following tables portray the daily difficulty of this situation in the period between 1993 and 1998. The information which they contain was gathered from different official and unofficial sources

and is consequently incomplete. Nevertheless, it provides a very vivid picture of the meaning of life in the south and the western Bekaa, which is overshadowed by the possibility of death, detention or displacement.[1]

1993	*Land and naval attacks*	*Air raids*	*Killed*	*Injured*	*Resistance operations*	*Material damage*	*Displacement*	*Naval siege and abduction*	*Detention*
July (July aggression)	22 000 artillery shells and 1 000 air missiles	1 224	115	353	20	Massive damage	500 000 displaced persons	-	Scores of detentions
August	3	4	4	-	12	-	-	-	3
September	3	-	2	-	33	-	-	-	-
October	5	1	5	5	40	2 houses and 3 fishing boats dynamited	-	2	3
November	Unspecified	3	5	10	64	-	-	-	1
December	Unspecified	1	8	10	68	-	Shots fired at fishermen	-	-
Total	-	1 233	139	378	-	-	-	-	-

[1] Owing to the nature of this chapter, the features peculiar to the information and the multitude of overlapping sources for such information, it is difficult to cite the individual source of each detailed piece of information separately, as information from more than one source has been incorporated in preparing the text. In contrast to the other chapters, therefore, the main sources are cited together below:

(a) Advisory Centre for Studies and Documentation, "Episodes of glory in the life of a nation", Beirut, publications of 1994, 1995, 1996 and 1997.

(b) Institute for Palestine Studies, "The scorched earth policy and the imperative solution", Beirut, 1996.

(c) Lebanese Society for Human Rights, "The status of human rights in Lebanon", Beirut, 1997.

(d) Centre for Strategic Studies, Research and Documentation, "Operation Grapes of Wrath - the Israeli peace war in Lebanon", Beirut, 1996.

(e) Cultural Council of Southern Lebanon, "The Israeli occupation of southern Lebanon and the challenges posed", Beirut, 1995.

(f) Advisory Centre for Studies and Documentation, regular monthly reports on the Israeli attacks against Lebanon.

(g) Council of the South, reports from the archives of the information unit on the attacks of July 1993 and April 1996.

(h) National Organization for Detainees in Israeli Prisons, reports on Lebanese detainees in Israeli prisons.

(i) Arab Information Centre, series of reports on the situation in the occupied south published in Al-Safir newspaper.

(j) Higher Organization for Relief, reports on the number of persons displaced during Israeli attacks.

(k) Follow-up Committee in support of the case of Lebanese detainees in Israeli prisons, reports on the conditions of detainees in Israeli prisons.

1994	*Land and naval attacks*	*Air raids*	*Killed*	*Injured*	*Resistance operations*	*Material damage*	*Siege and abduction*	*Detention*
January	3	2	3	6	21	Unspecified	-	-
February	17	1	3	7	35	-	8 fishermen abducted	-
March	9 (shots fired at pupils from a school in Nabatiyah)	2	19 (including 2 children)	25 (including 20 children)	35	Heavy damage	-	3
April	3	-	8	27	22	-	-	-
May	10	3	2	10	22	Scores of dunums cultivated with wheat set alight	1	-
June	6	6	33	45	25	Fires	2	-
July	2 (20 shells fired on the central sector)	3	6	3	27	Damage to vacant land	Siege of Yahmur	-
August	4	1	4 (including 3 children)	29 (including 9 children)	-	-	-	-
September	4	2	4	8	18	Damage to houses	-	-
October	20	1	9	18	59	Fires and damage to houses	-	-
November	10	-	7	-	23	-	-	-
December	30	-	4	12	41	Destruction of 21 houses	-	-
Total	118	21	102	180	338	-	-	-

1995	*Land and naval attacks*	*Air raids*	*Killed*	*Injured*	*Resistance operations*	*Material damage*	*Siege and abduction*	*Detention*
January	169	54	10	17	78	73 houses	6	20
February	11	29	7	24	71	75 houses	1 and 5	6
March	178	82	8	37	85	57 houses	5 and 5	8
April	109	39	6	9	93	71 houses	5	49
May	99	35	10	15	84	105 houses	2	9
June	99	42	10	30	75	72 houses	2 and 3	2
July	97	41	7	13	59	25 houses	1	2
August	90	56	11	13	78	19 houses	3	-
September	92	44	1	10	75	45 houses	1 and 4	-
October	91	51	6	7	57	32 houses	2	1
November	86	59	9	13	81	34 houses	3 and 3	15
December	90	71	2	-	61	-	1	3
Total	1 211	603	87	188	897	608	-	125

1996	*Land and naval attacks*	*Air raids*	*Killed*	*Injured*	*Resistance operations*	*Material damage*	*Siege and abduction*	*Detention and exile*
January	59	52	21	4	21	20 houses	2 and 6	12 and 6
February	59	45	4	7	35	37 houses	2	47
March	76	36	4	21	35	47 houses	10 and 2	132
April (Operation Grapes of Wrath)	42 (23 000 shells)	59	180 (including 51 children)	368	402	7 201 houses and displacement of 700 000 citizens	6 and 3	Unspecified
May	42	34	-	10	21	2 houses	6 and 3	7
June	58	24	4	4	35	Unspecified	4 and 4	36
July	51	34	4	1	20	Unspecified	4 and 4	7 (including 2 young girls)
August	51	40	4	4	25	18 houses	8 and 4	5 and 1
September	52	45	5	4	29	10 houses	5	5 and 1
October	56	51	2	20	48	18 houses	7	1 and 3
November	72	29	4	2	35	12 houses	3	24 and 9
December	59	42	2	10	44	7 houses	8 and 8	5 (women) and 2
Total	677	491	234	455	750	-	-	-

10.4 Continuing effects of the armed conflict

427. The material and psychological effects of the Israeli attacks do not end with the shelling. On the contrary, they continue for a long time afterwards, leaving their marks on human lives and even causing death in some cases. Two examples of these effects are discussed below. The first concerns the mines which are scattered about in many of the areas which were subjected to the Israeli attacks and the second concerns the psychological effect of the Qana massacre on children in the south.

10.4.1 Mines or the fatal accident of chance

428. During its recurrent land and air attacks on Lebanon, Israel frequently dropped various types of bombs on the areas under attack, some of which resembled toys which exploded when they were moved. It also planted extensive areas of agricultural and inhabited regions with mines, which explode on citizens working in the fields and on children playing.

429. The initial data indicate that that there are so far over 800 mine victims in the two districts of Rashayya and the western Bekaa alone, most of whom have had their hands and feet amputated. In conjunction with the World Rehabilitation Fund, the Ministry of Public Health conducted a study of mine victims in these two districts. The sample included interviews with 212 victims who were disabled due to the explosion of a mine or an undetonated bomb. The study also revealed that mines were the cause of 189 deaths in the area covered by the study.[2] Most of the victims were civilians injured while working on agricultural land or in front of their homes. The following two tables show the sites where the injuries took place and the activity in which the injured person was engaged at the time of injury:

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[2] Land Mines Project, results of the survey in Rashayya and the western Bekaa, Ministry of Public Health, 1997.

Breakdown of persons injured by mines by site where the injury took place (Rashayya and the western Bekaa)

Site where the injury took place	*Number*	*Percentage*
In front of the home	74	35
On neighbouring land	79	37
In the village environment	21	10
Outside the village and inside the region	14	7
Outside the region	24	11
Total	212	100

Source: Land Mines Project, results of the survey in Rashayya and the western Bekaa, Ministry of Public Health, 1997.

Breakdown of persons injured by mines by circumstance of injury (Rashayya and the western Bekaa)

Circumstance of injury	*Number*	*Percentage*
During agricultural work	105	50
During play	56	26
While taking part in fighting activity	19	9
While travelling across the region	14	7
Other cases	14	7
Total	212	100

Source: Land Mines Project, results of the survey in Rashayya and the western Bekaa, Ministry of Public Health, 1997.

430. The large percentage of those injured in front of their homes and in neighbouring fields while playing or while engaged in agricultural work shows that children were highly likely to be injured, which is in fact what happened. Of the individuals included in the sample of injured persons, 8% were children under 20 years of age. The highest percentage of injuries occurred among the 20-39 age group, although most of the individuals concerned received their injuries in 1982, meaning that they were aged between 5 and 24 at the time of injury.

431. Most of the children injured were playing in front of their homes or on neighbouring land. Their injuries were also sometimes produced by unexploded bombs which resembled toys and which were therefore deliberately targeted at children.

Breakdown of persons injured by mines by sex and age group

Age group	*Male*	*Female*	*Total*	*Percentage*
0-4	2	-	2	1
5-9	1	1	2	1
10-14	3	-	3	1
15-19	7	3	10	5
20-24	22	6	28	13
25-29	31	7	38	18
30-34	27	5	32	15
35-39	23	2	25	12
40-44	13	2	15	7
45-49	5	1	6	3
50-54	5	1	6	3
55-59	15	1	16	8
60-64	8	1	9	4
65-69	4	1	5	2
70-74	4	-	4	2
75+	4	7	11	5
Total	174	38	212	100

Source: Land Mines Project, result of the survey in Rashayya and the western Bekaa, Ministry of Public Health, 1997.

Mines - or childhood lost
Personal account of Muna (a journalist)

When I began working on a television investigation into those injured by mines, I did not expect what I heard and saw. I cannot forget the look in the children's eyes as they told how they lost a hand or a foot, or the words of Umm Muhammad, who told her son that he had become a man at the age of seven years old and that his amputated foot would never come back.

Most injuries would take place in the spring, as the winter rains would dislodge the mines sited near houses. Muhammad was eight years old when he went to pick some flowers. He went ahead of his friends to a flower which he had seen in the distance and suddenly flew into the air, his foot severed. Khalid's passion was to drive imaginary cars. He and his friends were sitting on a rock. He pushed down on a stone that he pretended was the accelerator and a mine exploded. As for Maryam, happy to have found a red car in a field, she took it back home, where she and her brother quarrelled about who should have it. She was stronger than him and the car blew up, taking with it half of her hand and injuring her thigh. Nahla had lost her sister six weeks earlier when a mine also exploded on her, severing her left hand and half of her right hand.

These tales are never-ending and are only similar in the tragedy which they produce. Children have left their schools because they are embarrassed by their disability and others have committed or attempted suicide. They have all lost some or all of their childhood and grown mature before their time. If I were asked about Israeli mines in the south and in western Bekaa, I would say that they are the enemy of children.

10.4.2 Psychological effects of the Qana massacre on children

432. Faced with the constant attacks on the south, the Government and non-governmental and international organizations worked tirelessly to provide the minimum necessary relief assistance to the population, particularly immediately after the widescale attacks. This was mostly confined to assistance in the form of food, covers and primary health care, or, in other words, items relating to physical comfort. Attention to the psychological and educational needs of the population was limited.

433. During the aggression of April 1996 and after the Qana massacre in particular, UNICEF became mindful of the need to devote attention to the psychological and educational effects of the aggression on children in view of the grim incidents which they had either suffered personally or witnessed or heard. In that context, a study[3] was carried out comprising a sample of children from the south and the western Bekaa with a view to determining the psychological impact of Operation Grapes of Wrath on children as part of the preparation involved in devising a mental rehabilitation programme for them. The study found instances of depression, anxiety, insomnia and poor concentration that were higher than normal. These findings raised awareness of the imperative to devote attention to this type of need in the near future.

434. The sample comprised 402 pupils from 25 primary schools, with an average age of 11.3 years. The findings were as follows:

Psychological symptoms in children in the south in 1996 by sex and age group

	Sex			*Age group*			
	Male	***Female***	***Total***	***6-9***	***10-12***	***13+***	***Total***
Depression	10.8	14.1	12.4	6.7	12.9	16.9	12.4
Separation anxiety	17.2	21.1	19.2	15.1	23.8	17.6	19.2
Severe anxiety	20.7	16.6	18.7	7.6	23.1	23.5	18.7
Post-traumatic stress disorder	17.2	18.6	17.9	9.2	20.4	22.8	17.9

Source: The Grapes of Wrath chapter, 1996, UNICEF.

10.5 The situation in the region of the border strip

435. A total of 108 villages and townships are under occupation, in addition to 63 farms, which together make up the so-called "border strip". These occupied villages and farms are dispersed throughout seven districts in varying concentrations. The largest numbers are in the districts of Jazzin, Marjayoun, Bint Jubayl and Hasbayya, whereas the districts of Tyre, Nabatiyah and Saidon are only partially occupied (only one village in Saidon is occupied, for example).

[3] UNICEF, The Grapes of Wrath Chapter, phase I, final report, October 1996.

Dispersal of occupied villages and farms throughout the districts

District	*Number of occupied villages*	*Number of occupied farms*	*Total*
Saidon	1	1	2
Tyre	9	8	17
Bint Jubayl	18	3	21
Marjayoun	25	2	27
Nabatiyah	2	2	4
Jazzin	40	41	81
Hasbayya	13	6	19
Total	108	63	171

Source: Newspaper reports.

436. It is difficult to arrive at an accurate estimate of the number of inhabitants on the border strip, mainly because of the occupation itself and because of the process involved in determining the number of inhabitants in each individual occupied village. The statistical survey of population and housing, however, provides a picture of the demographic features in the districts directly concerned, which are either under occupation or in the vicinity.

437. The number of inhabitants in the six districts (excluding Saidon) is estimated at approximately 350,000. The age composition distinctly differs from the national averages in various ways. Accordingly, the districts containing the highest number of occupied villages (Jazzin, Marjayoun, Hasbayya and Bint Jubayl) also contain a high proportion of aged persons, which can be attributed to the exodus of young persons, who leave because of the particular situation in the area or to avoid being conscripted into the militias cooperating with Israel, not to mention the lack of employment opportunities. A sharp fall is also noticeable in the percentage of children in the 0-14 age group in the district of Jazzin, which can be attributed to the increasing number of inhabitants who move away and the rapid rate at which families have settled outside Jazzin over the past decade. These differences illustrate the particular difficulties facing adolescents and children, as well as the fact that they are forced to move outside the area, either alone or with their families.

Number of inhabitants and their distribution by sex and age group

District	**Number of inhabitants**			*Age group (per cent)*			*District*
	Male	*Female*	*Total*	*0-14*	*15-64*	*65+*	
Tyre	64 361	65 722	130 083	35.4	59.8	4.8	Tyre
Jazzin	7 173	7 453	14 626	19.5	65.3	15.2	Jazzin
Nabatiyah	45 169	47 194	92 363	34.7	59.4	5.9	Nabatiyah
Bint Jubayl	25 343	27 367	52 710	33.7	58.4	7.9	Bint Jubayl
Marjayoun	19 461	21 418	40 879	29.5	59.7	10.8	Marjayoun
Hasbayya	9 670	9 790	19 460	25.6	65.1	9.3	Hasbayya
Total	171 177	178 944	350 121	29.3	63.8	6.85	National average

Source: Statistical survey of population and housing, 1996.

438. As for general living conditions, particularly for children, the rates of deprivation in these districts are the highest in Lebanon. By again classifying the living standards of inhabitants aged under 18 years into the three groups of low, middle and high, we find that the number of children living in deprived circumstances amounts to 72.2% of the total population in this age group in Bint Jubayl, 64.2% in Marjayoun and to 44.7% in Hasbayya, compared with a national average of 42.3%.[4]

Breakdown of children (aged under 18 years) by living standard (per cent)

	Low	*Middle*	*Upper*	*Total*
Bint Jubayl	72.8	25.9	1.9	100
Marjayoun	64.2	31.7	4.1	100
Hasbayya	44.7	48.4	6.9	100
Lebanon	42.3	42.1	15.6	100

Source: Statistical survey of population and housing, 1996.

10.6 Policy of exile and conscription

439. Inhabitants left the south in their droves for economic and general security reasons, as was specifically the case also in Lebanon's other rural areas. The matter is more serious, however, if the overall reasons are supplemented by others, such as the arbitrary measures employed by the Israeli forces that turn life in the villages into a living hell in which citizens are harassed by raids and incursions, threat, extortion and the imposition of taxes. In addition are the lack of employment and educational opportunities, the absence of health care, the feelings of anxiety, the fear of arrest and the conscription of young men.

440. Every family in the area of the occupied strip feels particularly anxious when their children reach the age of adolescence and youth. The same is true of the children themselves, who, from their schooldays, are forced to live in a setting which is not their own and also have the language of their enemy imposed on them. They dread the outside world of the Israeli environment, raids, detention, the detention of a brother or neighbour, and feel apprehensive in going about their daily business of family and work inside the strip and at its crossing points. They are afraid to hear news of a blockade or exile or of resistance operations against the Israeli occupation, and must express themselves in a "neutral" language which is not theirs, often on the advice of their family, in order to avoid interrogation in a military centre that may end in their punishment. Fear is also felt within the family itself and for the family: fear that it will be broken up and divided into members who live in the strip and other members who live outside it in order to seek work or evade conscription. The internal fear, however, which cannot be overcome, is the relentless passage of the years as young men approach adulthood and are faced with the prospect of conscription.

441. Families in the south therefore experience the worry of planning for the future of their sons: the worry that they should marry, despite their young age and travel abroad; the worry of ensuring that they acquire residence in the town or outside the strip before they reach the age of conscription to the "Lahd Army"; and the worry of providing the funds needed for exemption from this conscription. Such worries restricts the lives of children and their families in these areas.

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[4] The percentages were calculated using the same method used in the study of living conditions in Lebanon for inhabitants in the 0-17 age group.

10.7 The health situation in the border strip

442. The health situation in the border strip is part of the health situation in Lebanon in general and the south in particular. Its problems, however, are multiplied owing to the presence of an occupying authority as a fait accompli and the occupation itself, which impedes the roles played by central Government and the non-governmental and private sectors in connection with the provision of health services.

443. There are four hospitals in the occupied areas. Of these, three are government hospitals and one belongs to the international emergency forces. In practice, the government hospitals provide 40 beds (as the hospitals in Jazzin and Bint Jubayl bear more resemblance to health centres). The other hospital is in Marjayoun. There are 19 health centres in operation. Dispersed throughout a number of villages, most of them suffer from a serious shortage of medicines, equipment and human resources. Workers in the service centres belonging to the Ministry of Social Affairs recount how work suffers in the strip, as it is impossible for them to take any initiative on the basis of their concerns or to follow up the situation of inhabitants. Two or three recurrent visits to a family in need of assistance, for example, may be regarded as a "suspect" activity by the occupying soldiers and their clients.

444. The suffering of inhabitants as far as health care is concerned can be summed up in the difficulty of movement and the insufficient number of doctors. Moreover, equipment is so limited that surgical operations cannot be performed and 25 villages are without medical services.

10.8 The situation of education in the border area

445. Education is regarded as one of the most sensitive and serious problems confronting the inhabitants of the occupied region because of its direct connection with the occupation and the need to confront and adapt to the situation accordingly, both now and in the future. At the start of the occupation, the Israelis forces attempted to meddle with the educational curricula by offering numerous inducements to school principals and teachers. These, however, were declined.

446. In order to give a clear picture of the educational situation, three points of reference in time were identified with a view to comparing the changes in school enrolment. These are the 1974/75 academic year, which preceded the beginning of the war in Lebanon, the 1981/82 academic year, which was the year of the Israeli invasion of Lebanon, and the 1995/96 academic year.

447. The breakdown of pupils in State primary education in the occupied regions was as follows:

Changes in the numbers of pupils in State primary education in the border strip (1974-1996)

District	*1974/75*	*1981/82*	*Decrease in pupil numbers*	*1995/96*	*Decrease since 1981/82*	*Decrease since 1974/75*
Bint Jubayl	6 123	5 394	729	3 150	2 244	2 973
Jazzin	3 173	2 275	898	579	1 696	2 594
Hasbayya	2 428	1 575	853	1 425	150	1 003
Tyre	1 438	983	455	848	135	590
Marjayoun	7 696	4 558	3 133	1 646	2 912	6 045
Nabatiyah	572	131	441	123	8	44
Total	21 425	14 916	6 509	7 771	7 145	13 654

Source: See footnote[5].

[5] The statistics relating to the 1974/75 and 1981/82 academic years are taken from the Guide to Lebanese Schools, whereas those relating to the 1995/96 academic year were obtained directly from the Ministry of

448. The overall decline in the number of pupils in State primary schools is appreciable, particularly in the districts where the number of occupied villages is at its highest. Secondary school pupils are divided among nine secondary schools in the following manner:

Breakdown of secondary school pupils by district in the occupied strip

	1974/75	*1981/82*	*1995/96*
Bint Jubayl	587	915	291
Marjayoun	539	172	299
Hasbayya	125	160	159
Jazzin	277	265	183
Total	1 528	1 612	932

Source: As for the previous table.

In this case, the decline is primarily due to the conscription imposed on 15-year-olds.

449. By contrast, a growth was recorded in the number of pupils registered in the private sector. The amount of growth, however, was smaller than the decline registered in State education, thus suggesting a decline in the total number of pupils.

10.9 Detainees in Israeli prisons

450. Thousands of Lebanese have been thrown into the mass detention camps established since the Israeli occupation of Lebanon. Khiam detention camp (established in 1985) is today regarded as the most atrocious of all such camps in view of the savage treatment to which the detainees held there are subjected. Years of constant pressure were required before Israel and its client militias allowed the International Committee of the Red Cross (ICRC) admission to the camp and before family members were allowed to visit their sons and relatives being held in detention there.

451. Approximately 450 detainees (children, women and men) have been thrown into this detention camp since it first opened. Following the most recent releases, which took place on 26 June 1998, the number of detainees now stands at about 125. Fifty detainees were released from Khiam prison and a further 10 from prisons in occupied Palestine in return for the body of the Israeli soldier who was killed in Operation "Ansariyah" in southern Lebanon in the summer of 1997.

452. Of the 125 detainees currently being held in Khiam prison, 23 were not yet 18 years of age at the time of their detention and some have been in detention for 10 years.

Education. The statistics on the district of Jazzin are from a university field research paper entitled "Late graduation from the secondary stage in the district of Jazzin during the war years", by Ghassan Rahhal, 1997.

List of the names of detainees in Khiam prison who were aged under 18 years at the time of their detention

No.	*Name*	*Age at detention*	*Date of detention*	*Comments*
1	Ali Ghazi Saghir	17	1986	10 years since detention
2	Yusuf Ali Tarmus	18	1989	
3	Mujib Mahmud Tirmis	17	1989	
4	Samer Ali Hijazi	18	1994	
5	Ziyad Ibrahim Ghanwi	18	1994	
6	Ali Ibrahim Qasim	18	1996	
7	Ahmad Hassan Sadiq	16	1997	
8	Ali Mustafa Tuba	14	1997	
9	Husayn Aqil	18	1998	
10	Muhammad Husayn Qazzan	15	1998	
11	Ali Husayn Qazzan	17	1997	
12	Ali Muhammad Qashmir	14	1988	
13	Khanjar Shu'ayb	16	1997	
14	Hassan Haribi	16	1997	
15	Ali Fadl Mahjan	13	1997	
16	Ahmad Barakat	15	1996	
17	Rabah Fayiz Abu Fa'ur	16	1998	
18	Taysir Dibaja	Under 16	1997	
19	Nu'ayma Faysal Jabir	Under 16	1997	
20	Khalid Idris	Under 16	1997	
21	Basam Ali Hamada	Under 16	1997	
22	Bilal Ibrahim Ashqar	Under 16	1997	
23	Bilal Kayid Faraj	Under 16	1997	

453. Those freed from Khiam prison in the exchange operation on 26 June 1998 included seven prisoners who were aged under 18 at the time of their detention. They are:

Name	*Age at detention*	*Date of detention*
Nasir Abu Alaywi	18	1985
Akram Muhammad Alaywi	17	1985
Ali Ahmad Qashmar	15	1988
Abdul Gharib Abdul Gharib Baydun	18	1985
Amin Muhammad Tirmis	17	1987
Fadi Ahmad Ali	18	1987
Zuhayr Ali Dahir	12	1986

454. Furthermore, of the 42 detainees who remain in captivity following the releases made on 26 June 1998, a further eight had not attained adulthood at the time of their detention.

No.	*Name*	*Age at detention*	*Date of detention*
1	Hassan Hijazi	16	1986
2	Muhammad Mahmud Ali Badir	18	1991
3	Hussain Fahd Daqduq	18	1987
4	Kamal Mahmud Rizq	15	1986
5	Qasim Mahmud Qams	18	1986
6	Yusuf Ya'qub Sarur	18	1987
7	Abdul Hassan Abdul Hassan Sarur	18	1987
8	Ismail Mahmud Al-Zayn	16	1985

455. In addition to these, the following two prisoners aged under 18 were freed from Israeli prisons:

Nabih Awada, who was detained in 1988 at the age of 16 and freed on 26 June 1998;
Abdul Karim Al-Ali, who was detained in 1987 at the age of 16 and freed in 1998.

456. These individuals endured bouts of physical and mental torture which were inflicted without regard for their age or for the international instruments governing the affairs of prisoners, particularly children, in circumstances of war and occupation.

Israeli and children
Personal account of a liberated prisoner

Nabih, who was born in 1972, is from the village of Aytrun in the district of Bint Jubayl. He was 16 years old when he was arrested while taking part in resistance activities against the occupation.

"Immediately after my arrest, I was beaten and moved to the military intelligence centre in Sarfand, where I was constantly interrogated for 100 days. They would be physically violent with me and also use psychological pressure. The main focus was on wearing me down by preventing me from sleeping and depriving me of food and then subjecting me to lengthy interrogation sessions which continued for 8 hours non-stop, during which they would periodically threaten to torture me with electrocution and by saying that they would destroy my house. I never saw the sun throughout the entire time I was in Sarfand. I was in a cell two metres long and one metre wide and had no toilet facilities or medical care. Following the interrogation, I was transferred to occupied Palestine and imprisoned for seven months in a single cell in a prison in Tiberias because I was young and in order to prevent me from mixing with adults. When I was seventeen and a half, I was tried by an Israeli court and sentenced in my absence to 15 years' imprisonment and when I turned 18, I was moved to Asqalan prison.

I spent 10 years in Israel. I grew up in prison in a state of severe mental conflict about facing the changes happening in my life. I was released in the exchange operation which took place in June 1998. I am now 26 years old and am trying to find my way in this world after being robbed by my detention of an essential part of my life and my development.

Israel and children
Personal account of a liberated prisoner

Rabah is from the village of Kafr Hammam in the district of Hasbayya. Born in 1974, he is the twelfth child in his family. He was the youngest detainee in Khiam prison and was only 13 years old when members of the South Lebanon Army raided the State school in Kafr Shuba on Wednesday, 23 March 1988, and took him to Khiam prison. He says:

"It was the final two hours of the day at school and we were having a French essay test. I finished before the end of the allotted time and left the classroom. I saw a security vehicle in the distance and was struck by a feeling that they would come and get me, as my brother was wanted and had fled the area and my family was feeling upset and afraid.

They went into the school administration office and asked for the principal. By that time, I had returned to the classroom with my colour changed and said, "The Israelis are here". I was sitting in my chair when there was a knock on the door and the principal came in and called me to come. I asked whether I should bring my books with me or give them to my sister in the next classroom.

I left the classroom with the security men and the teacher stopped the test. All the pupils had come out of their classrooms, including my sister, who began shrieking and ran off to the house. They put me in the car and one of them pushed the door shut with his foot and said, "You'll come with us to the last road fork in the village." On that day, they had arrested my mother and taken her to Khiam prison.

On our way to the prison, they covered me with a blanket. When we arrived, they handed me over to the policeman and took me into the interrogation room. While the interrogator was questioning me, I was looking at the light and thinking how they would hang me with the chains suspending it. In the first few days, they didn't beat me at all and would say, "We won't beat you as long as you tell us what you know. Tomorrow you'll go back home and to school."

After that, they put me in solitary confinement for 15 days. Even though I was only young, during those 15 days they tortured me, using various methods. I was electrocuted, flogged, whipped and left to stand outside at night in the rain. All that and I didn't know that my mother was there in the prison. One day, while I was being interrogated, the interrogator asked me to be quiet and I heard my mother screaming in the next room. He then told me that it was my mother. They did the same thing to my mother and when she was quiet, they began beating me so that she would hear me screaming and faint. They often did this to me and they also brought in two of my sisters and my cousin, who were aged 18, 20 and 22 years, and used the same method of torture on them.

I asked to see them, but they wouldn't let me. They released my mother two months' later and never allowed her to send me anything. While I was in the prison, they exiled my family and my three sisters aged 10, 15 and 23. My two sisters and I remained in the prison for 18 months. After that, they moved everyone away from the occupied area.

CHAPTER XI

VIOLENCE AGAINST CHILDREN AND THEIR SEXUAL EXPLOITATION

11.1 Introduction

457. To broach the subjects of violence against children and their sexual exploitation is to enter virtually forbidden territory, particularly in view of the frequently obstinate refusal to acknowledge the true situation. In Lebanon, as in the case of all similar societies, violence is not generally viewed in a negative light, representing as it does a show of strength that is very often displayed. It is commonly witnessed on a daily basis, for instance, in the media, in family and school life, in social and political life and even in economic life. In addition, sexual matters themselves are as much shrouded in secrecy as they are a forbidden subject of discussion.

458. In the cases of violence and sexual exploitation (which is also a form of both physical and moral violence), it is not surprising that children should be the prime victims twice over: first of all, victims of the assault itself and secondly, victims of the repression and silence about the subject.

11.2 Children and domestic violence

459. In so far as violence within the family is concerned, families enjoy two forms of "immunity" which complement one another. The first is the immunity provided by society, as mentioned earlier in chapter I, the family being a private domain of affairs in which the outside world is forbidden to interfere. The second is the immunity provided by the law, which, pursuant to article 186 of the Penal Code, permits the types of "discipline" which parents inflict on their children (and which husbands also inflict on their wives and elder siblings on their younger siblings). This article makes a strong statement simply by alluding to violence and beating through use of the word "discipline". Moreover, it is accepted as legally authoritative by "general custom" and no attempts are made to attune it the spirit of the day through its amendment. Article 186 of the Penal Code states: "The law permits: The types of discipline inflicted on children by their parents and teachers as sanctioned by general custom."

11.3 Forms of domestic violence

460. The different forms of domestic violence practised on children by the family can be referred to as moral violence and neglect, in addition to physical violence.

461. Moral violence means any reprimand of a child by way of shouting, insult or causing offence to dignity, as well as lack of consideration, rejection, accusation, alienation or constant criticism. Such types of reprimand occur in instances where a family loses control over a child's behaviour or in the event of constant marital rows, divorce or family break-up. They are also attributable to poor economic and educational status and the fact that some individuals are unfit to play their natural role within the family.

462. Neglect is the worst form of violence because of its ongoing nature. In this case, the relationship of the child with its parents is typically so negative and indifferent that it becomes completely severed. The causes are generally linked to the family situation in terms of low economic status, large numbers of children, material need, poverty and any health problems from which a parent may suffer. In addition, the psychological pressures to which the family is exposed, particularly among those who are unemployed, leads to frustration that is taken out on the children.

463. The forms of physical violence practised against children vary on the basis of the effects left on their bodies and on their development, growth, character and mental state. Some forms of violence may leave obvious marks and severe pain requiring treatment, while others leave only "simple" marks that

quickly disappear. These include pushing, slapping, hair-pulling, scratching, pinching, biting and hitting, as well as being tied up, beaten with various implements, kicked or scalded with hot water, cigarette ends or coal.[1]

464. In these cases, it is impossible to discount the belief held by families and society that violence is the most effective means of discipline, unlike the modern methods, which are regarded as completely ineffective and treated with derision at gatherings of family and friends.

11.4 The situation of children who suffer violence in the family

465. Earlier reference was made to the lack of detailed statistics on family violence for the reasons already mentioned. The following sections are based on various surveys and personal accounts.

466. A field study of a limited sample of children aged between 8 and 12 years was carried out by social health assistants from the Faculty of Public Health at the Lebanese University and showed the following characteristics:[2]

- The phenomenon of physical domestic violence exists in all social groups and is not confined to the impoverished groups alone. On the contrary, it is widespread throughout society as a "method of discipline" and is generally used in educating and bringing up children because families believe that it achieves effective results.

- A high proportion of the families of the children in the sample relied on giving verbal admonishments to their children and on denying them their favourite pastimes. In the worst cases, they beat their children's hands, which only rarely caused injuries requiring medical attention. Families do not therefore tend to resort to heavy forms of punishment until they are sure that their efforts to provide guidance have failed to produce the desired results in serving as a deterrent to their children. As such, the emphasis is on the importance of moral restraint in the family that prevent them from resorting to more violent methods of discipline. It should be pointed out here that the males and females in the sample were subjected to the same punishment.

467. The study draws attention to the fact that most children in the sample who were subjected to such physical punishment knew nothing else and therefore regarded beating as part of a healthy discipline, which they generally accepted without protest. The risk here is that the use of such discipline will persist through the generations, since children subsequently identify with their family and the method of discipline which it uses. In the long-term, this creates a vicious circle, as questionable methods which have an adverse impact on the mental, social and physical health of the child are inevitably passed down.

11.5 Violence against children in schools

468. The school ranks next in line to the home in terms of its role in educating children and the personality of the teacher is frequently identified with that of the parent in many educational and social roles. Of this there could be no greater evidence than the fact that both parent and teacher are permitted to administer discipline under the same provision of the Penal Code (article 186).

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[1] Qamar Al-Din, Suzanne and Al-Hayak, Nada, "Physical domestic violence against children", research for an award in social health management supervised by Dr. Basma Al-Manla, Beirut, Lebanese University, Faculty of Public Health, First Division, Social Health Management Section, 1995-1996, pp. 18, 22 and 33.

[2] Ibid., p. 122.

469. School deliberately use physical violence against pupils, such as beating them with a ruler or hand, or pulling their ears in front of their classmates, methods which are likely to leave detrimental effects of a psychological and moral nature. Some teachers and principals in particular may occasionally use more extreme forms of violence, such as kicking, severely beating or slapping pupils, locking them up or making them stand up against the playground wall in front of everyone else.

Personal account of Naji, aged 9, a pupil in a State primary school

"All the teachers in our school, both male and female, beat us. I wish that it was only the female teachers who did it, because their blows are lighter. The beating differs, depending on the teacher. Some of them hit us on the hands and some of them hit us with a ruler or stick, but the principal is the one who terrifies us the most. He kicks us, canes us or slaps us. If anyone talks in class when the national anthem is playing, he slaps them and makes them stand up against the wall in front of everyone."

Naji sees nothing wrong with beating, as long as it is not too hard, and believes it to be an effective method which he himself uses to obtain what is rightfully his: "My cousins and I ganged up against another gang, who attacked us, so we beat them all up with our fists and finished them. They never tried the same thing again."

470. The ill-treatment in schools is not exclusively confined to physical and moral methods. On the contrary, the failure to use modern teaching methods and the poor quality of the educational curricula are a form of ongoing violence against pupils that accumulates in their subconscious and produces negative attitudes and tensions for no immediate or apparent reason.

471. Generally speaking, the educational curricula and teaching materials disregard any individual differences between pupils, which remain unrecognized. Pupils are therefore forced to succumb to the process of inculcation in the absence of any educational structures that allow them to participate in making choices on the basis of their likings and to have a margin of freedom of creativity and innovation. The educational methods followed in most schools in Lebanon are based on such inculcation, rather than on participation. In addition, the system in schools is autocratic and precludes the pupil from expressing his opinion. Moreover, any pupil who fails academically is chastised, beaten and insulted as punishment.[3]

472. A field study of pupils in the intermediate stage, conducted in 1992, showed the following:

- 39% of pupils were beaten on the hands with a ruler;
- 26% had their hair and ears pulled;
- 20% were slapped across their faces on at least one occasion;
- The remainder were brought under control by the system.

In another study:

- 45% of pupils in the intermediate and secondary stages were verbally abused and insulted by the principal or a teacher;

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[3] Al-Hayyi, Shawqi, "The ill-treatment of children in schools", Fourth General Conference of the Lebanese Childcare Federation concerning the ill-treatment of children, Beirut, National Institute of Nursing, Maqasid, 30-31 May 1996.

- 26% of pupils believed that the teacher meted out punishment without ascertaining the true culprit, as a means of venting anger;

- 25% of pupils felt that teachers favoured pupils who were well-off over those who were poor;

- 49% of pupils regarded teachers as autocrats who were essential to their own good.[4]

11.6 Violence in the media

473. The influence of the media, particularly television, on children is a controversial subject. This hypnotic device has entered into every home and a multitude of local and satellite channels are now accessible to everyone throughout the whole of Lebanon in return for a paltry subscription fee. Both children and adults spend a large portion of their spare time in front of the small screen due to the lack of other choices. It is therefore a highly effective means of influencing habits and behaviour.

474. The controls and customs in practice concerning televised transmission times and the classification of programmes on the basis of their suitability for different age groups are an explicit acknowledgement of the adverse impact which some programmes, particularly those full of violence and permissiveness, are likely to have on children.

475. As in the surrounding countries, the attitude in Lebanon towards protecting children from these two phenomena suffers from two distortions:

(a) Despite the strictness concerning the subject of permissive scenes, leniency abounds when it comes to scenes of violence, which are plentiful during the periods when children's programmes and cartoons are transmitted. The prevailing view is that violence is not an extremely serious matter, meaning that children are not protected from visual exposure to violence.

(b) The strictness concerning the question of permissiveness in the media is such that no distinction is made between pornography and sex education. Instead, everything falls under the same banner. Protection therefore takes the form of prohibition and suppression. As such, children are deprived of their right to a proper scientific knowledge of sexual matters and are thus prompted to turn to the very pornography from which it is wished to protect them, as well as embrace sexual fantasies which stay with them throughout their lives.

476. A study of some of the adverse effects of television viewing on children revealed the following:

Fears and nightmares;

Unwarranted aggression;

A love of trouble;

A tendency to imitate scenes and practise them on younger siblings;

Lack of discipline at school;

The development of an aggressive and unadaptable character;

A loss of childhood innocence and a malicious tendency.[5]

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[4] Ibid.

Television and the game of hanging

On 20 May 1998, two murderers were sentenced to death by hanging. The sentence was carried out publicly in the town square of Tabrajah. Detailed pictures of the hanging were screened during the television news bulletin, which was seen by large numbers of children. In the next few days, the newspapers carried the following two reports:

1. Pupils in the primary classes in Taalbayya State school in the Bekaa copied the scene which they had watched on their television screens. They tied some rope to the tree in the playground and then chose one of their female classmates to play the role of the criminal. When the girl's neck started to bleed, they called for help. Teachers immediately rushed to the spot and rescued the girl.

2. While playing in a village in the Nabatiyah area, a group of young boys picked one of their friends, who was barely six years old, to act out the execution scene. They tied some rope to the ceiling of an abandoned house, stood him on a rock and then wound the rope around his neck and pushed him. When the rope tightened around his neck, he started to change colour and they began shouting out. By chance of fate, the boy was rescued from the point of death when a man came walking past the abandoned house.

11.7 The sexual exploitation of children

477. At some stage of his life, a child may be subjected to a variety of sexual abuse, considered to be the most repugnant experience to which a child can be subjected because of the potential physical and psychological effects that may remain until late in life and the possible damage to sexual identity.

478. Child sexual abuse entails sexual intimacy which adults instigate with children. Any touching or intimacy between a child and an adult falls within this category, as does nudity or being undressed by an adult in order to use the child for purposes of arousal or for obscene filming, rape, prostitution or incest.[5]

11.8 Legal measures adopted to protect children from forms of sexual exploitation

479. The protection of children from sexual abuse and exploitation is guaranteed by the legislative enactments in Lebanon, particularly the following articles of the Penal Code:

Articles 505 and 506 concerning rape.

Articles 511 to 513 concerning the imposition of heavier penalties in particular cases, including the perpetration of a sexual offence against a child;

Articles 518 to 522 concerning seduction and dishonour;

Articles 523 to 530 concerning incitement to immoral behaviour;

Articles 531 to 534 concerning offence to public decency and morals;

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[5] Nassar, Rima, "Ill-treatment of children across the media', Fourth Conference of the Lebanese Childcare Federation concerning the ill-treatment of children, Beirut, National Institute of Nursing, Maqasid, 30-31 May 1996.

[6] Qamar Al-Din, Suzanne and Al-Hayak, Nada, op. cit., pp. 27-28.

Articles 531 to 536 concerning the prostitution of minors.

480. All of these articles stipulate penalties for the perpetrators of sexual crimes and generally include provisions imposing heavier penalties for offences against minors. Some articles are also specific to minors. There is no separate legislation, however, to protect children from sexual assault.

11.9 Sexual assaults on children in Lebanon

481. The circumstances and tragedies of the Lebanese war and the fact that it continued for a period of 16 years undoubtedly resulted in a substantial amount of social disintegration, as well as in poverty, displacement, death and fear of the future and the unknown. Common drug use and other forms of crime, including sexual assaults on children, are therefore to be expected, although the political and security instability prevented these problems from being brought out into the open.

482. After the war ended, the number of reported allegations increased considerably. Rape cases tripled over five years, for instance. and there were twenty times more cases of child rape. According to a report issued by the Ministry of Justice, 1,891 complaints of sexual assault were lodged with the courts in 1990, increasing to 6,161 in 1994. In 1990, 9.2% of these involved assaults on children (127 girls and 39 boys), rising in 1994 to 49.2% (2,431 girls and 612 boys).

Sexual offences perpetrated by minors (aged under 18) between 1993 and 1996

Type of offence	*1993*	*1994*	*1995*	*1996*
Harassment	5	5	13	15
Incitement to immoral behaviour and whoredom	1	3	3	4
Sodomy	6	25	16	20
Offence to public decency	4	9	9	9
Defloration and rape	2	9	19	7
Adultery or fornication	2	2	6	1
Solicitation	5	2	6	1
Prostitution	7	5	9	2
Solicitation and prostitution	3	11	1	1
Total	35	71	82	61

Source: Computing division of the Internal Security Forces.

Sexual offences perpetrated against minors (aged under 18) between 1993 and 1996

Type of offence	*1993*	*1994*	*1995*	*1996*
Rape	4	13	38	12
Defloration	9	38	30	17
Solicitation and prostitution	12	3	4	4
Offence to public decency	7	14	10	3
Sodomy	12	41	30	19
Harassment	5	16	20	25
Abduction for purposes of marriage	9	32	26	34
Adultery or fornication	-	1	-	1
Total	58	158	158	115

Source: Computing division of the Internal Security Forces.

483. In October 1996 alone, 62 children lodged complaints of rape, indicating one of two possibilities: an increase in the percentage of rapes or a rise of awareness among children.

484. A closer examination of the aspects of sexual assaults on children and the relationships of kin between the perpetrators shows that incest is clearly the most common type of assault. The following table shows examples of sexual assault within the family:

Examples of sexual assault within the family in 1994

	Perpetrator			*Victim*		
	Age	*Occupation*	*Relation to the victim*	*Age*	*Sex*	*Comments*
1	25	Stationer	Family member	20	Female	
2	18	Student	Family member	28	Female	
3	50	Farmer	Family member	18	Female	
4	35	Labourer	Father	10	Female	
5	21	Waiter	Brother	14	Female	
6	17	Labourer	Family member	11	Male	
7	44	Unemployed	Father	17	Female	
8	54	Farmer	Father	18	Female	
9	48	Construction worker	Father	13	Female	
10	44	Labourer	Father	17 and 12	Female	His daughters

Source: Computing division of the Internal Security Forces.

Examples of sexual assault within the family in 1995

	Perpetrator			*Victim*		
	Age	*Occupation*	*Relation to the victim*	*Age*	*Sex*	*Comments*
1	55	Ordinary labourer	Father	15, 22 & 24	Female	His 3 daughters
2	45	Ordinary labourer	Father	10	Female	
3	30	Ordinary labourer	Uncle	15	Male	
4	19	Student	Family member	14	Female	
5	40	Labourer	Family member	13	Female	

Source: Computing division of the Internal Security Forces.

485. These tables are more informative than any written commentary, although the figures are only the tip of the iceberg, as most sexual assaults which take place within the family remain hidden under a cloak of silence.

11.10 Role of Government agencies

486. The security forces are responsible for investigating all complaints of sexual assaults on children. The regional division carries out the necessary investigations and then begins pursuit of the offenders. It also organizes special files on criminals and victims that help in preparing tables and statistics on such crimes and their places of occurrence, as well as the pursuit and arrest of members of criminal networks and sex mafias.

487. Today, it is a growing trend for the security forces to devote special attention to protective security, which has now acquired the same importance as criminal security, particularly in regard to juvenile crimes. However, in order to address this thorny issue with its host of criminal, educational, psychological and social dimensions, it is essential to establish a specialist child police force which includes sociologists and psychologists within its ranks and which is directly linked to governmental and non-governmental institutions concerned with children.[7]

CHAPTER XII

CHILDREN AND NARCOTIC DRUGS, TOBACCO AND ALCOHOL

12.1 Lebanon and narcotic drugs

488. Lebanon has had a problem with narcotic drugs since the time of the mandate at the beginning of the century, when certain types of drugs, particularly hashish (or Indian hemp), were widely cultivated in some areas of the northern Bekaa. Such cultivation in those areas of difficult terrain, far away from the capital, continued throughout the past decades, although it had its periods of up and down. The overriding nature of the problem in Lebanon, however, was the cultivation of narcotic drugs for purposes of trafficking or export, rather than for domestic consumption. In the virtual absence of any central authority during the war years (1995-1990), this illegal activity grew substantially, as the cultivation of hashish was practically the only economic activity taking place in the areas of the northern Bekaa, where most farmers turned to growing illegal crops.

[8]489. During the 1970s and 1980s in particular, disturbing new phenomena were reported:

- The economy of narcotic drugs came to represent an important financial and economic resource, the crumbs of which benefited thousands of farmers who were cultivating hashish and manufacturing it for export. It should be stated, however, that the main beneficiaries were the major traffickers.

- Given the widespread cultivation of narcotic drugs and its status as a prime economic activity over an extensive area of Lebanon, it became transformed into an agricultural activity involving the whole family, since there was nothing to prevent children and women from playing a part in its different stages.

- During the second half of the 1980s, the cultivation of narcotic substances began to diversify to include the opium plant, which, in Lebanon, was primarily grown for export and also because it commanded higher prices than hashish.

- The prolonged years of war aggravated the social and psychological difficulties which affected young persons in particular. In view of the ready availability of narcotic substances in the country, the problem of widespread drug use began to emerge on a wider domestic scale than before, when it was a limited phenomenon compared with the cultivation of narcotic substances and their export abroad.

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[7] Major Kilas, Joseph, "The employment and sexual exploitation of children", a research paper forming part of the requirement for promotion to the rank of major in the course for captains, supervised by Lieutenant Colonel Antoine Shakur, Beirut, General Directorate of the Internal Security Forces, Institute of the Internal Security Forces, Officers' College, 1997, pp. 61-62.

With the spread of drug abuse and addiction, the problem of narcotic drugs in Lebanon developed into an internal problem, having initially been no more than an external problem that exposed the country to international pressures and demands to put a stop to the cultivation of such drugs on its territory and to their export.

12.2 The legislative framework

490. Lebanon has constantly adopted a position in conformity with the international conventions relating to narcotic drugs. Lebanon responded to the call of the United Nations to sign the Single Convention on Narcotic Drugs of 1961, which was approved by the National Assembly pursuant to Law No. 60/1964. It also signed the Convention on Psychotropic Substances of 1971 (approved by the National Assembly pursuant to Law No. 291/1994) and ratified the United Nations Convention to Combat Illicit Trafficking in Narcotic Drugs and Psychotropic Substances of 1988 pursuant to Law No. 426/1995. The main reason for the delay in signing the latter two conventions was due to the war situation, which hampered legislative action in the country and imposed other priorities.

491. In the field of national legislation, the mandate authorities had already issued Decree No. 193 of 28 August 1934 comprising special rules on the manufacture, possession, trafficking, import and export of narcotic drugs. After Lebanon gained independence in 1943, the matter of narcotic drugs continued to be governed by the Penal Code of 1943, in particular articles 630 and 631 thereof, which punished the offences of narcotic drug use and trafficking. It was also governed by the Law of 18 June 1946, which prohibited the cultivation of Indian hemp and hashish and subjected the manufacture, extraction and trafficking of narcotic drugs to prior authorization. Decree No. 6255 regulating trafficking in narcotic drugs was subsequently promulgated. These laws remained in force until the promulgation of the Narcotic Drugs and Psychotropic Substances Act No. 673 of 16 March 1997, which abrogated the law of 1946. Further reference will be made to this new law in due course.[1]

12.3 The social and educational dimension

492. In practical terms, once the military activities in Lebanon had ceased and the central Government began to resume its role, the Government took a radical step in 1992 in regard to the cultivation of narcotic drugs in the northern Bekaa by completely destroying the fields cultivated with hashish and opium and demolishing the centres where narcotic drugs were manufactured. This sweeping operation was carried out across the board in a single process and in record time in comparison with the action taken in other States which were suffering similar problems.

493. The assumption was that significant assistance would accompany this move with a view to the immediate development of alternative crops in order to avoid a deterioration in the livelihood of the farmers and inhabitants of the region in general. The required amount of assistance, however, was not forthcoming. Nevertheless, as from 1993, the Lebanese Government, with support from UNDP and donor States, implemented an integrated programme for alternative crops and rural development in the districts of Baalbek and Harmal with the aim of improving household living standards. This programme was relatively successful, but the available resources and surrounding circumstances did not stave off the decline in household living conditions in this region, which is today still regarded as one of Lebanon's most deprived areas. As much certainly applies to the status of children in that area, who, owing to this situation, are denied various services and fundamental rights.

494. It is worth noting, however, that the Government began to address the question of narcotic drugs more thoroughly and objectively than before in that it no longer approached the matter simply from the perspective of security and the Penal Code, devoting attention instead to other economic, social and

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[1] "Human rights", a supplement appearing in the Nahar newspaper, No. 32, 31 May 1998.

educational considerations. In this context and with a view to further alleviating the severe social tension in the areas where narcotic drugs were previously cultivated, the National Assembly promulgated Act No. 666 of 29 December 1997, which proclaimed a general amnesty for narcotics offences perpetrated during previous years. An estimated 4,000 individuals wanted by the law took advantage of this amnesty. A majority of these had been involved in the cultivation or trafficking of narcotic drugs during the war years.[2]

495. The main progression relevant to the status of children, however, is that the attitude towards drug addicts has changed from one where they are regarded as simple criminals or persons having perpetrated a misdemeanour against the law to one where they are regarded as being ill and in need of treatment. This change was assisted by the role which non-governmental organizations played in raising awareness of the dangers of narcotic drugs and the treatment of addicts. It was also assisted by the international climate and the international organizations which launched various campaigns, held conferences and issued pamphlets aimed at combating the spread of narcotic substances and the trafficking in those substances. Without a doubt, Lebanon was fully prepared to respond to this climate.

496. Influenced by this general climate and in response to the domestic need to address the problem of narcotic drugs in Lebanon, the National Assembly approved an up-to-date narcotics drugs law in 1997 (Law No. 673), which includes articles providing for the protection and treatment of children who perpetrate offences of drug use and for heavier penalties in the case of offences perpetrated against children.

497. Article 127 of this law permits the court to stay execution of a penalty handed down to a minor who obtained, was in possession of or purchased a narcotic substance for his personal consumption or who has a proven addiction to such substance. It also permits the exemption of a minor from enforcement of this penalty provided that, where necessary, he is placed under the treatment and care imposed by the court. (The penalty stipulated in this law is imprisonment of between three months and three years and a fine of 2-5 million Lebanese pounds, and the penalty for the offence of drug use is imprisonment of between two months and two years and a fine of 1-3 million Lebanese pounds).

498. In order to provide children with greater protection from narcotics offences, the law increases the penalty for offenders and prohibits the court from granting the concession of mitigating causes in the following instances:

- If the narcotic substance is given to a minor or to a mentally disabled person or if a minor or mentally disabled person participated in the commission of the crime;

- If the crime was committed in a reformatory, a military institution, a treatment clinic, a social services centre or any other place frequented by pupils and students for the pursuit of educational, sports and social activities or in areas immediately adjacent to such institutions and places.

12.4 Assessing the extent of the phenomenon

499. It is difficult to make an accurate assessment of the extent of narcotic drug use and trafficking as a nationwide phenomenon in general and among those under 18 years of age in particular. The current estimates are either derived from unrepresentative sample studies of the whole of Lebanon or produced by the non-governmental organizations working in this field. This subject is expected to form part of the special national studies to be carried out in due course. Its sensitive nature, however, is one reason

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[2] Lieutenant Colonel Shakur, Michel, Anti-Narcotics Section, General Directorate of the Internal Security Forces.

for the unavailability or inaccuracy of statistics. The types of narcotic drugs most widely used by children are hashish first, followed by cocaine, heroin and lastly, LSD.

500. In order to present an indirect picture of the extent of this problem, statistics from the General Directorate of the Internal Security Forces are provided below. They include the numbers of cases and the numbers of those aged under 18 who were proved to have committed narcotic drugs offences between 1994 and 1997 broken down by sex and governorate.

Narcotic drugs offences: perpetrators aged under 18 by sex

Year	*Offence*	*No. of cases*	*Males*	*Females*	*Total*
1994	Drug use	374	50	35	85
	Drug trafficking	506	107	36	143
1995	Drug use	336	38	1	39
	Drug trafficking	385	167	0	167
1996	Drug use	207	155	6	161
	Drug trafficking	271	243	57	300
1997	Drug use	126	53	0	53
	Drug trafficking	158	34	30	64

Source: General Directorate of the Internal Security Forces.

501. These tables illustrate the following:

(a) The number of cases for drug trafficking offences is much higher than those for drug use offences, although logically and realistically speaking, the number of drug users is higher than the number of traffickers. As a result, legal and security efforts are focused on the crime of trafficking, whereas in the case of drug use, the focus is on education and treatment, suggesting an attempt, where possible, to ensure that children and young persons who are drug users do not bear the legal consequences, an approach which is consistent with the modern attitude towards the question of drug addiction.

(b) The number of cases referred to the security agencies is clearly higher than the number of individuals against whom legal procedures are taken. This is primarily due to lack of evidence or to the circumstances of the offence, or to the aforementioned preference for treatment over legal measures in the case of minors.

(c) The number of cases on file showed a falling trend between 1994 (374 cases of drug use and 506 cases of trafficking) and 1997 (126 of drug use and 158 of trafficking), even though the statistics for 1997 are incomplete. This fall is a positive indicator.

(d) The majority of drug offences are committed by males, as the percentage of male offenders is clearly higher than that of female offenders, although the proportion of the latter is still fairly significant.

(e) The proportion of drug offences in the different governorates is conspicuously irregular and inconsistent from one year to the next. In 1995 and 1996, an extremely high number of drug-trafficking offences were recorded in the north, whereas in 1996, record numbers of drug use offences were reported in the Bekaa, while in 1994, the highest proportion was in Beirut. Hence, the resulting inference is that it is difficult to draw a general conclusion. The disparity may be linked to the

particular activity of the security forces within a certain region and to their success in capturing the members of a network, or the reason may lie elsewhere.

Narcotic drug offences: perpetrators aged under 18 by governorate

Governorate	*1994*		*1995*		*1996*		*1997*	
	Drug use	*Drug trafficking*	*Drug use*	*Drug trafficking*	*Drug use*	*Drug trafficking*	*Drug use*	*Drug trafficking*
Beirut	39	70	43	15	15	13	27	30
Mount Lebanon	11	17	4	5	17	69	11	22
North	17	7	0	121	21	141	0	0
Bekaa	3	10	12	3	75	45	12	9
South	8	33	0	15	32	5	0	0
Unknown	7	6	0	8	1	4	0	0
Total	85	143	59	167	161	288	50	61

Source: General Directorate of the Internal Security Forces.

(f) As for occupation, it is a striking fact that the majority of offenders are manual labourers (in construction, industry and so on), with students ranking next in order of importance. The share of the unemployed is low compared to both of these groups, as a minimum level of financial resources is required for drug use and drug trafficking. On the basis of reports published in the daily press, it can be concluded that drug offences are particularly prevalent in grass-roots environments on the one hand (labourers who are also minors) and in the middle-income and affluent environments (students, particularly private university students). This conclusion is based on general observation, as an accurate estimate of numbers cannot be provided.

Narcotic drug offences: perpetrators aged under 18 by occupation

Occupation	*1994*		*1995*		*1996*		*1997*	
	Drug use	*Drug trafficking*	*Drug use*	*Drug trafficking*	*Drug use*	*Drug trafficking*	*Drug use*	*Drug trafficking*
Labourer in construction and industry	33	42	10	45	65	46	27	20
Worker in the trade and service industry	9	0	5	28	13	51	15	0
Employee	0	0	4	12	0	2	0	3
Student	10	42	14	55	6	15	8	0
Unemployed	14	5	0	0	1	16	1	30
Farmer	0	19	0	0	0	26	0	5
Miscellaneous	19	35	5	27	76	95	0	0
Total	85	143	38	167	161	251	51	51

Source: General Directorate of the Internal Security Forces.

(g) The overall circumstances surrounding this issue lead to the conclusion that the extent of the phenomenon is greater than is shown by the figures in the tables, since in addition to the information disclosed by the security agencies in this connection, the number of reported cases which reach the stages of advanced investigation or trial are many fewer than the actual number for a wide variety of social and educational reasons.

502. Finally, emphasis must be laid on the importance of carrying out a nationwide study to determine the extent of this phenomenon and identify the characteristics of perpetrators, the causes and so on. Meanwhile, the data hitherto available on the subject are insufficient to draw up an effective strategy to combat this problem.

12.5 Policies and concerned bodies

503. In the context of educational/treatment approach to the problem of narcotic drugs, the new law established a committee to combat drug addiction, presided over by a judge and with a membership consisting of representatives from the Ministry of Social Affairs and the Central Directorate to Combat Narcotic Drugs, in addition to a doctor from the Ministry of Health and a representative of private institutions concerned with matters of narcotic drugs. This committee is responsible for supervising the treatment of addicts and taking the necessary decisions relating to such treatment after first investigating the personal, social, vocational and family aspects of the addict's life. If it reaches the conclusion that the measure of placing an addict in a sanitarium will leave his family without financial resources, it may propose to the Ministry of Social Affairs that the family should be granted a monthly allowance.

504. An addict who perseveres with his treatment is awarded a nominal certificate by the committee to state that he is cured, in which case he is ultimately free of prosecution and the costs of treatment are borne by the Government. When a patient is released, the committee also has the task of deciding whether to require his attendance at a psycho-social clinic. The committee also continues devoting attention to the patient after he leaves and helps his reintegration into society.

505. The law also established a national council for narcotic drug affairs presided over by the president of the Council of Ministers. This council is responsible for formulating a national anti-drugs policy and, in particular, for promoting alternative crops and organizing information campaigns with a view to raising public awareness of the dangers of narcotic drugs.

506. It must be remembered, however, that these provisions and the bodies established accordingly are only recent (1997) and that neither have yet been implemented or established in practice, although they are in themselves a step in the right direction.

507. The non-governmental sector has also been aware of the growth and exacerbation of this phenomenon that occurred during the war years, in which connection it took the initiative to play a direct role. To that end, some 20 organizations specializing in work to combat addiction have been established, in addition to three medical centres specializing in the treatment of addiction. It is noticeable, however, that Lebanon does not yet have any special centres for the treatment of drug addiction in children. As for the activity of these organizations, its central focus is on raising awareness, organizing lectures and training courses and caring for addicts, although not specifically for children, as already mentioned.

12.6 Child consumption of alcohol and tobacco

508. Unlike narcotic drugs, alcohol and tobacco are not prohibited substances. As such, they are widely available on the local market and children have easy access to them. In such a situation, legal provisions are insufficient to ensure that children are adequately protected against the consumption of substances harmful to their health. On the contrary, it is a matter which is largely dependent on the role played by the home and school environments, as well as on the role of the media in raising awareness and promoting behavioural patterns and habits that help to prevent the excessive consumption of alcohol and tobacco.

509. As for the consumption of alcohol, it is prohibited under articles 625 and 626 of the Penal Code to serve spirits to a minor who has not attained 18 years of age, whether in bars, shops or elsewhere. Article 627 also prohibits bar owners from employing girls or women under 21 years of age who are not members of their family.

510. The fines imposed on those who breach the law, however, are extremely trivial, ranging as they do between 10,000 and 20,000 Lebanese pounds. Moreover, there is no indication that they should be increased for recurrent offences. Such fines therefore fail to act as a deterrent to those who break the law.

511. With some effort, it is possible to monitor the requirement that bars should not to serve spirits to minors. It is impossible, however, to monitor their purchase from public places, as children are often sent out to buy alcohol for consumption by the family.

512. As for tobacco consumption, in accordance with WHO recommendations, the Ministers of the Interior and Health issued a decision in 1993 which banned smoking in hospitals, infirmaries, pharmacies, cinemas, sport clubs and study areas in school and universities, as well as on public transport. In 1996, on the proposal of the Ministry of Public Health, the Council of Ministers also issued a decision which banned smoking in the meeting rooms of all Government buildings, including the Council's own meeting room.

513. It is easier for children to obtain tobacco than alcohol, however, and the same problem applies in regard to controlling their consumption of this substance.

514. None the less, the promotion of healthy habits and behaviour is of more importance when it comes to controlling alcohol consumption and smoking among children. It is noteworthy that the general climate in Lebanon makes it easy for minors to consume alcohol owing to various factors, in particular:

- The price of spirits and tobacco in Lebanon is among the lowest in the world, which encourages both adults and minors to consume these items in large quantities.

- Lebanon has no law to prohibit or restrict the commercial advertising of alcoholic substances and tobacco. On the contrary, there are more advertisements for these substances than for other consumer items and they are also highly appealing to adolescents and young persons. As such, they provide them with a motivation to consume such substances which remains undiminished by the timid and ineffective decision to place in small print on cigarette packets and advertisements the sentence "The Ministry of Public Health warns you that smoking is harmful". Scant attention is paid to health education, and the recreational and sporting activities available to children and adolescents are limited, as are alternative interests which are likely to reduce the number of instances where children resort to alcohol or smoking as a compensatory activity or in imitation of adults. On the contrary, the undiscerning openness to all manner of cultural influences, coupled with the consumer and exhibitionist tendencies which sometimes distinguish social behaviour, creates an environment which promotes the consumption of these substances as a predominant stereotype.

515. In the face of such factors, the impact of legislative provisions in addressing the problem will continue to be minimal. The accuracy of this conclusion is confirmed by the practical observation that, among adolescent and youth groups involved in social and development work who are influenced by modern-day ideas of development, environment and health, attitudes towards health are moving away from the habit of tobacco and alcohol consumption

CHAPTER XIII

JUVENILE DELINQUENTS AND THE JUSTICE SYSTEM

13.1 Introduction

516. In Lebanon, the concern with matters relating to juvenile delinquency has grown, as has the concern with measures for the protection and legal prosecution of juveniles. Several factors have contributed to this, including the increasing international interest in the topic and the fact that such interest can be accurately translated into specific measures. A further contributing factor was the fact that Lebanese traditions of justice and legislative enactments are in harmony with modern attitudes. An important role was also played by the initiative of a group of judges and juveniles accused of delinquency who come from respected social and political backgrounds, who formed the Society for the Protection of Juveniles in 1936, which has been regarded as an institution in the public service since 1939.

517. The interest in juvenile delinquents and the attitude of the official authorities and society towards them serve as an important indicator in measuring the level of progress achieved in a society's culture and values, as the attitude towards this social group in earlier periods of time was predominantly negative. The usefulness of this indicator, however, is not restricted to the appraisal of legislative texts, as it is also essential to note the extent of compliance with such texts in practice, including the establishment of the institutions stipulated for the provision of care and follow-up.

13.2 Social and legal measures

518. Advocates of the conventional criminal doctrine regard juvenile delinquency as a type of criminality and violation of the law which demands punishment commensurate with the harm done to society. Society, however, has gradually developed the view that juvenile delinquency should be addressed by means of supervision and guidance, rather than by means of punishment. Accordingly, it was essential that the criminal legislative acts on juveniles should respect this concept and acknowledge the particular social circumstances and age of juveniles. They should also give consideration to specific procedures and lighter penalties that could, where possible, be substituted for measures of another kind.[1]

519. Both international and national studies confirm that a recurring number of social, family and economic factors are present each time the phenomenon of juvenile delinquency becomes more widespread. Through various surveys and field investigations into the circumstances of juvenile delinquents, the following contributory factors (not listed in order of significance) can be compiled:[2]

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[1] "The legal concept of juvenile protection in the light of the Convention on the Rights of the Child", a lecture given by Kamal Haddad, a lawyer, at the third conference organized by the Lebanese Childcare Federation, in cooperation with the Islamic Charitable Society of Maqasid, on the subject of juveniles and the problems of delinquency, Beirut, 1996.

[2] The same causes of child delinquency are reiterated at all lectures and workshops. This general consistency based on field studies, surveys and personal accounts does not, however, obviate the need for a nationwide study of the characteristics of juvenile delinquents and the causes of their delinquency. Concerning the factors discussed in this section, see the following references: "Juveniles and the problems of delinquency", op. cit., two lectures given by Judge Ghassan Rabah, President of the Society for the Protection of Juveniles, and Mrs. Ni'mat Kanaan, Director-General of the Ministry of Social Affairs; and recommendations of working groups in a series of seminars on the rights of the child and the juvenile justice system addressed to apprentice judges and social workers, July 1998.

- War and the circumstances and effects of war;
- Poverty and worsening living conditions;[3]
- Family problems: broken homes and lack of family control;
- Emotional problems: failure of the child to adjust emotionally to his environment;
- The influence of the environment and delinquent friends;
- Children's lack of awareness of what is forbidden and the consequences of breaking the law, in addition to the lack of a deterrent;
- The indirect role of the media, which promote violence and crime.

Examples of juvenile delinquency[4]

Fadi, aged 16, Awza'i:

He has three siblings from a different mother. His father is a driver. He is illiterate and has carried weapons since 1989. He has committed the crime of murder as a result of a dispute with an armed neighbour. His ongoing dispute with his father prompted him to carry arms.

Ibrahim, aged 16, Awza'i:

He has three brothers, one of whom is from the first marriage of his father, who is a grocer. Because of the war and a dispute with his father, he left home to work in a bakery. After the bakery closed down because of the war, he started carrying weapons like the rest of his friends.

Rabi', aged 16, Sharun:

He has six brothers and his father is a company employee. He was the victim of armed family disputes in his village and was accused of murder.

Hadi, aged 16, the southern suburbs:

He has 10 half-brothers. His father died of alcoholism during the war and he was in constant conflict with his father's wife and her children. He committed several robberies because of his need for money.

Jacques, aged 15, Ain Rumana:

He has four sisters, the eldest of whom is paralysed as a result of the war. His father, a civil servant, refused to let him go to school because of poverty and he had to choose between work and leaving home. He preferred to stay in the neighbouring barracks. He was arrested while trying to steal things from a car.

Ahid, aged 17, Badaru:

A migrant from Kamid Luz in the western Bekaa, his father is a sergeant in the army and is divorced. Because of the war and his father's constant absence, the sons became involved with a bad crowd. He killed one of his friends when he was drunk. He takes various types of drugs.

Rabi', aged 14, Beirut:

He has four brothers. His father is paralysed and his mother died from shell shrapnel in 1982. He spent five years in a care institution and then tried to learn rug-making, but the temptation of vice, the sight of armed persons and his need for money pushed him into attempting a house burglary.

Khalil, aged 17, Zahleh:

He was 9 years of age when he lost his entire family during the bombardment of his village. He failed in his attempts to find relatives to take him in and so joined a gang to replace his lost family.

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[3] In response to a question, Judge Ghassan Rabah (who was a longstanding judge of the juvenile court) stated that although delinquency in the affluent groups exists, it is present to a lesser degree and is of a different type. It is estimated that 90% of delinquents today are from the impoverished groups (see "Juveniles and the problem of delinquency", op. cit.).

[4] From a lecture given by Judge Ghassan Rabah, "Juveniles and the problem of delinquency", op. cit.

13.3 Delinquency statistics

520. The figures below are gathered from court records and give an approximate idea of the extent of the phenomenon of juvenile delinquency and its characteristics. These figures, however, were gathered in a process that was unmethodical, unorganized and unsupervised by researchers specializing in the collection and analysis of data. As such, they are not extremely accurate. Moreover, the information is not entirely consistent. The conclusions drawn from this information must therefore be treated as no more than an approximate indication.

521. A total number of 1,924 cases were registered in the offices of the juvenile courts in the various Lebanese governorates, involving 2,678 juveniles in all.[5] Most of these relate to the two governorates of Beirut and Mount Lebanon, where the concentration of inhabitants is highest, followed by the governorate of the North. These figures are unsuitable for the purpose of drawing accurate conclusions about delinquency rates, as the number of cases depends on the activity of judicial offices, the security forces and various other factors that are independent of the delinquency rate in the area concerned. It is possible, however, to be definitive about the breakdown of delinquents by sex, as delinquency is clearly shown to be a male phenomenon, occurring at the rate of 96.2% among males compared with the rate of 3.8% among females.

Total number of cases and juveniles concerned between 1993 and 1996

Governorate	*Cases*		*Total number of juveniles concerned*		*Males*		*Females*	
	No.	*%*	*No.*	*%*	*No.*	*%*	*No.*	*%*
Beirut	418	21.7	599	22.4	571	95.3	28	4.7
Mount Lebanon	650	33.8	1 103	37.8	978	96.5	35	3.5
North	412	21.4	490	18.3	482	98.4	8	1.6
Bekaa	109	5.7	145	5.4	141	97.2	4	2.8
Nabatiyah	61	3.2	70	2.6	68	97.1	2	2.9
South	274	14.2	361	13.5	337	93.4	24	6.6
Lebanon	1 924	100	2 678	100	2 577	96.2	101	3.8

Source: Society for the Protection of Juveniles - 60 years, extracted from judicial records.

522. As for the nationality of juvenile delinquents, of the total number of 1,845 who were sentenced, 64% were Lebanese, 17.7% were Syrian and 10.6% were Palestinian. The percentages for other nationalities were lower and included children whose nationality was under consideration (3.2%) and 1.2% of whose nationality was undeclared.

[5] Society for the Protection of Juveniles in Lebanon - 60 years, including a contribution from UNICEF.

Sentenced juveniles by nationality

Nationality	*Total*	*Percentage of total*
Lebanese	1 180	64
Syrian	327	17.7
Palestinian	195	10.6
Egyptian	29	1.6
Unstated	23	1.2
Under consideration	59	3.2
Other	32	1.9
Total	1 845	100

Source: Society for the Protection of Juveniles - 60 years, extracted from judicial records.

523. During recent years, the number of cases and juveniles concerned increased from 540 cases, involving 765 juveniles, in 1993 to 1,007 cases involving 1,289 juveniles in 1996. The annual increase in the number of juvenile delinquents concerned amounted to 24% between 1993 and 1994 and 28% in the following year, becoming noticeably steadier in 1996, when a percentage change of only 6% was recorded in comparison with 1995. The total number of juveniles concerned in cases during the four years (1993-1996), however, amounted to 4,216 (although some may have been reoffenders), a figure which is high.

Change in the number of cases and juveniles concerned by year (1993-1996)

Year	*Cases*	*Juveniles*	*Annual % change*
1993	540	765	-
1994	775	947	24
1995	938	1 215	28
1996	1 007	1 289	6
1993-1996	3 260	4 216	-

Source: Society for the Protection of Juveniles - 60 years, extracted from judicial records.

13.4 Types of crimes perpetrated by offenders

524. Between 1993 and 1996, theft was the most repeated crime (accounting for approximately 51.3% of all cases), which is generally linked to worsening living conditions. There are, however, striking features which deserve comment. First, the proportion of robberies stood at 29.7%, compared with ordinary thefts, pickpocketing and so on, which stood at 21.6%. Robbery is a complex operation that is much more elaborate than one that is random and opportunistic. The second most repeated crimes are those of causing injury, causing insult, battery and intimidation (16%), followed by pre-meditated murder (6.2%), compared with 2.1% for drugs offences. This would indicate a widespread climate of violence and use of force in the society.[6]

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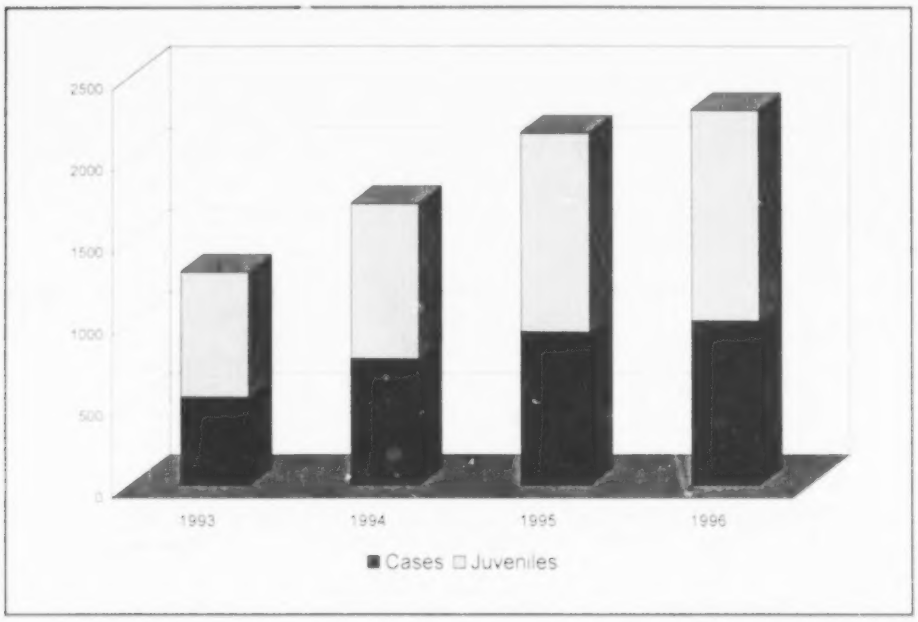
[6] Ibid.

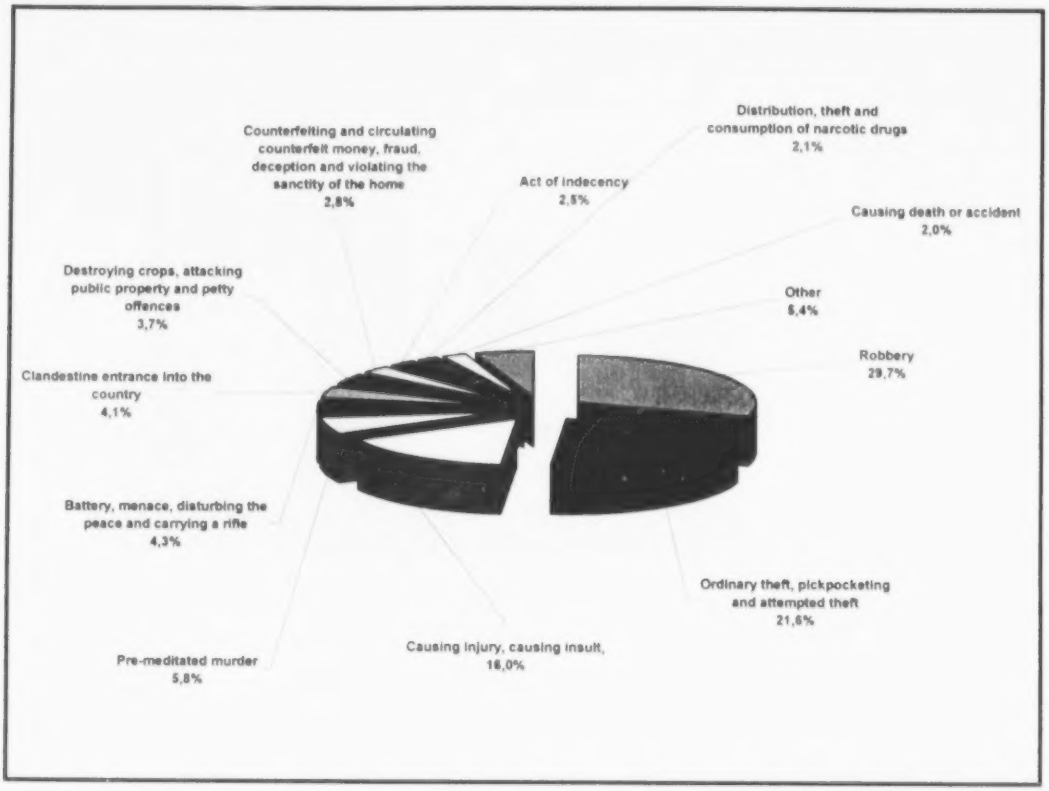
Change in the number of cases and juveniles concerned between 1993 and 1996



Types of crimes perpetrated by offenders by year and percentage of the total number

Type of crime	*1993*	*1994*	*1995*	*1996*	*Number*	*%*
Robbery	667	615	563	542	2 387	92.7
Ordinary theft, pickpocketing and attempted theft	562	432	416	324	1 734	21.6
Causing injury, causing insult, battery, menace, disturbing the peace and carrying a rifle	213	363	357	353	1 286	16
Pre-meditated murder	102	170	133	93	498	4.2
Clandestine entrance into the country	47	75	100	127	349	4.3
Destroying crops, attacking public property and petty offences	46	75	135	72	328	4.1
Counterfeiting and circulating counterfeit money, fraud, deception and violating the sanctity of the home	73	55	101	67	296	3.7
Attempted murder and incitement to murder	85	54	41	43	223	2.8
Act of indecency	48	49	58	45	200	2.5
Distribution, theft and consumption of narcotic drugs	52	37	42	36	167	2.1
Causing death or accident	27	65	37	30	159	2
Other	69	90	81	197	437	5.4
Total	1 961	2 080	2 064	1 930	8 035	100

Source: Society for the Protection of Juveniles - 60 Years, extracted from judicial records.


Distribution, theft and consumption of narcotic drugs 2,1%
Counterfeiting and circulating counterfeit money, fraud, deception and violating the sanctity of the home 2,8%
Act of indecency 2,5%
Causing death or accident 2,0%
Destroying crops, attacking public property and petty offences 3,7%
Other 5,4%
Robbery 29,7%
Clandestine entrance into the country 4,1%
Battery, menace, disturbing the peace and carrying a rifle 4,3%
Ordinary theft, pickpocketing and attempted theft 21,6%
Causing injury, causing insult, 16,0%
Pre-meditated murder 5,8%

13.5 Juvenile offenders in the national legislation

525. Mention has already been made of the attention devoted to this matter in Lebanon at the official level and of the foundations laid to that end in the legislation and traditions of justice. The main legislative texts which take into consideration the question of juvenile delinquency and regulate a special judiciary for the consideration of juvenile cases are as follows:

- Legislative Decree No. 119 of 16 September 1983, as amended by Law No. 182 of 22 December 1992, which is the basic law that takes into consideration the protection of juvenile delinquents;

- Decree No. 18767 of 21 February 1958 relating to the establishment of centres;

- Decree No. 16734 of 22 June 1964 relating to the regulation of employment in reform institutes.

526. In addition to the above texts, there are provisions relating to children in the general laws, such as the Penal Code, the Trial Procedures Act, the Narcotic Drugs Act, the Labour Act and so on. There are also decrees and resolutions amending or regulating the implementation of certain articles of the aforementioned laws.

527. In general, the justice system and the national legislation include the following features which are consistent with the spirit of the Convention on the Rights of the Child:

(a) There are legislative texts and judicial procedures concerning children which guarantee that they receive special protection as distinct from adults;

(b) The measures and penalties stipulated in the child laws include either educative measures or reduced penalties;

(c) The child laws adopt social and psychological approaches which transcend the conventional criminal doctrine in that they ensure the participation of civil society in following up the issue of delinquency by conferring direct responsibilities upon the Society for the Protection of Juveniles (and, to a lesser degree, upon other social organizations) for supervising measures adopted in regard to juveniles in accordance with binding legal provisions.

From Legislative Decree No. 119/83

Article 1: This Legislative Decree shall apply to any juvenile over seven years of age and under 18 years of age who commits an offence punishable by law or who is found homeless, begging or vulnerable to delinquency or whose health, safety, morals or education are at risk. Any person who has not attained seven years of age at the time of perpetrating the offence shall not be prosecuted.

Article 2: The following measures shall prescribed for juveniles:

1. Protection;
2. Probation;
3. Reform;
4. Discipline;
5. Reduced penalties.

13.6 Measures prescribed for juvenile offenders

528. A child has no legal responsibility before he has attained seven years of age, which is the minimum age of criminal responsibility. Various national and international authorities have commented that they regard this age as too low and are therefore seeking to have it raised.

529. Once a child is over seven years of age, his responsibility progressively increases as he grows older and the following measures are liable to be taken against him:

1. Protection

530. Protection measures are as follows:

(a) The juvenile is surrendered to his guardian or legal trustee;

(b) If they fail to offer sufficient guarantees, he is handed over to a blood relative or family member;

(c) In the event that neither of the above can be fulfilled, he is surrendered to a benefactor or a dependable family.

The philosophy behind protection measures is to ensure that the child remains in or as close as possible to his family environment, in which case regular checks are made on the child by a representative from the Society for the Protection of Juveniles and guidelines are given to the persons to whom he is surrendered.

2. Probation

531. In probation, the juvenile is placed under the control of the Society for the Protection of Juveniles. Probation continues for a period of between one and five years, during which time the Society submits regular reports on the juvenile's condition to the court, which has the discretion to reduce the probation period.

3. Reform

532. Reform is where the juvenile is ordered to remain in a reform institute, where he is under probation and undergoes rehabilitation and vocational training.

4. Discipline

533. With this measure, the juvenile is placed in a youth custody centre in order to avoid sending him to in a normal prison, even if the prison takes measures to separate minors from adults.

5. Reduced penalties

534. In this case, owing to his age, a juvenile who is convicted in accordance with the Penal Code is sentenced to reduced penalties compared with those to which an adult is sentenced. In particular, this means that a sentence of death or life imprisonment cannot be handed down to any person aged under 18.

535. The relationship between the type of crime and the age of the juvenile person is as follows:

- Between the ages of seven and 18 years, protection measures are imposed, irrespective of the offence;

- Between the ages of 12 and 15 years, protection measures are imposed, together with probationary, reform and disciplinary measures, in accordance with the type and circumstances of the offence;

- Between the ages of 15 and 18 years, probationary, reform and disciplinary measures are imposed, as well as reduced penalties in accordance with the type and circumstances of the offence.

536. In practice, 31.8% of the judgements delivered in the case of juvenile offenders are acquittals, suspended sentences, lack of jurisdiction and so on. As for the measures stipulated in article 2 of Legislative Decree No. 119, the proportions can be broken down as follows:

Protection measures: 3.5% surrendered to the family or guardian;

Probation measures: 7% surrendered to the family and placed under probation and 0.4% placed in an institution, giving a total of 7.4%;

Reform measures: 2.4% of juveniles placed in a reform institute;

Disciplinary measures: 4.9% of juveniles placed in a youth custody centre, although they were in practice imprisoned as an alternative owing to the fact that such centres were non-existent;

Reduced penalties: 27.3% sentenced to imprisonment.

537. Contrary to assumption, the proportion of penalties is noticeably higher than disciplinary sentences and protection.

Judgements delivered in the case of juveniles between 1993 and 1996

	1993	*1994*	*1995*	*1996*	*Number*	*%*
Acquittal, dismissal, suspended sentence, lack of jurisdiction	8.9	30.8	31.6	37.7	1 083	31.8
Imprisonment	4.7	19.2	36.3	29.8	929	37.3
Expiration by limitation	27.9	25.5	9.4	8.1	492	14.4
Period of custody deemed sufficient, release, deportation from Lebanon	16.3	6	7.8	6.3	255	7.5
Surrendered to family and placed under probation, or placement in an institution	12.4	4.2	8.3	6.9	252	7.4
Placement of juvenile in a youth custody centre	12	9.5	0.1	4.4	167	4.9
Surrender of a minor to his guardian	8.9	1.6	2.6	4.5	119	3.5
Placement of juvenile in a reform institute	8.5	2.7	2.2	0.9	81	2.4
Other judgements	0.4	0.8	1.8	1.2	29	0.8
Total	1200	100	100	100	3 407	100

Source: Society for the Protection of Juveniles - 60 Years, extracted from judicial records.

13.7 Gaps and progress

538. The legal texts guarantee the essential rights of a juvenile offender before the judiciary in conformity with the principle of protection and with regard for the best interest of the child. In addition to the points already mentioned, the law guarantees confidentiality where the trial of a child is concerned, as well as the attendance of his guardians, lawyers and a representative of the Society for the Protection of Juveniles at every stage of the trial. In addition, it provides that a juvenile cannot be questioned unless a representative of the Society for the Protection of Juveniles is present and that social workers and psychologists must be asked to provide reports and the juvenile's circumstances investigated prior to the delivery of any judgement. Even though, as a whole, they constitute a text which requires constant updating, all of these provisions guarantee the fundamental rights stipulated in the Convention on the Rights of the Child.

539. In this respect, it is essential to state that the measures intended to deter non-compliance with the law are ineffective and that, as in the case of all legal texts, the fines imposed on offenders are too low, being no longer realistic following the surges of inflation during the war years. A further shortcoming is that is that the law continues to consider cases of begging and vagrancy from the perspectives of security and the Penal Code. As such, begging and vagrancy are regarded as an offence and an infringement of the Penal Code, rather than as a social problem of which the victim is the beggar or vagrant.

540. The main shortcomings, however, lie in the extent to which the official security agencies and judiciary comply with these provisions, as well as in the extent to which the institutions provided for exist and operate effectively. In this respect, the following should be noted:

(a) The failure to comply in practice with the requirement for a representative of the Society for the Protection of Juveniles to attend the preliminary questioning conducted by the security forces following the arrest of a juvenile, and the failure to meet the requirement to preserve the confidentiality of juvenile trials;[7]

(b) The loss of the juvenile probation centre at the beginning of the war;

(c) The loss of the reform institute in Jumhur and transferral of the task of reform to two reform centres, the first in Fanar, which caters for 25 juveniles, and the second in Ba'asir, which caters for 60 juveniles;

(d) The failure to establish the youth custody centre and the alternative use of ordinary prisons, where measures to separate juveniles from the adult prisoners are insufficient;

(e) Poor resources, as a result of which application of the conditions stipulated is impossible.

541. On the other hand, Lebanon has, in recent years, made several positive steps indicative of a general interest that can be translated into a number of practical moves. The media, for instance, has begun to show an interest in the subject, which was previously taboo, while the idea that the parties concerned with the juvenile justice system should receive special training has started to take root.

542. Accordingly, during 1997 and 1998, a series of activities was organized with a view to the developing judicial action concerning juveniles. As a result, a fertile process of interaction between the judicial body on the one hand and social experts and social workers on the other was set in motion. These activities were as follows:

(a) The first activity, which took place on 27 November 1997, was a special seminar on the social and legal rights of the child for officers of the internal security forces. This seminar was organized in cooperation between the General Directorate of the Internal Security Forces, UNICEF and the Society for the Protection of Juveniles in Lebanon. A total of 19 officers from the internal security forces took part in the seminar.

(b) The second activity took place on 3 and 5 April 1998 and consisted of a special study group for judges, lawyers and social workers that was held in the United Nations building in Beirut. A total of 125 participants attended. The subject was alternative procedures in the juvenile justice system and included studies in which comparisons were made with European countries.

(c) The third activity took place between 3 June and 3 July 1998 and consisted of a series of seminars on the rights of the child and the juvenile justice system aimed at trainee judges and social workers. This activity was organized in cooperation between the Institute for Judicial Studies, UNICEF, the Human Planet Institute and the United Nations Centre for International Crime Prevention in Vienna. The participants in this activity were 44 second- and third-year apprentice judges from Judicial Studies Institute and 15 women from Planet Earth, the Society for the Protection of Juveniles and the Social Movement who were engaged in social work with juvenile delinquents.

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[7] See the lecture given by Judge Ghassan Rabah entitled "The theory and practice of juvenile law", and the synopsis of two field investigations by Fatima Ghinam, Raniya Za'atari and Wisam Rihal in "Juveniles and the problem of delinquency", op. cit.

CHAPTER XIV

CONCLUSION: COMMENTS OF THE COMMITTEE ON THE RIGHTS OF THE CHILD

543. The Committee on the Rights of the Child made a number of comments on the initial report of Lebanon in 1996 and proposed several recommendations which it hoped to see adopted by the national authorities. These comments were considered as soon as they were received and the Higher Council for Childhood transmitted the necessary clarifications in respect of their content at the time.

544. During the period between the transmittal of the clarifications in 1996 and the preparation of this report, a number of additional steps have been completed, frequently in response to the recommendations of the Committee. In addition, more precise clarifications were submitted in the light of the national and sectoral statistics completed.

545. The main achievements and failings in connection with the comments of the Committee are summarized below.

546. Concerning the existence of policies and a national plan of action to ensure the rights of the child in conformity with the Convention, general, sectoral, legislative, institutional and practical steps have been achieved within this framework. The Higher Council for Childhood had also previously prepared a national plan of action, as already mentioned in the report. None the less, a national plan of action corresponding to the requirements cannot be said to have taken shape. The elaboration of such a plan is therefore one of the first tasks to which the Higher Council for Childhood will devote itself following the completion of this national report. In this context, it must be pointed out that the Government and the Ministry of Social Affairs, which is directly concerned with matters of childhood, have repeatedly expressed a firm political will to formulate such a plan.

547. Concerning the availability of statistics and the monitoring and follow-up mechanisms, it can be confirmed that statistical information is now available and that a problem no longer exists on this score. As for the follow-up and monitoring mechanisms and means of determining indicators, a substantial number of Government projects, with backing from international and Arab regional organizations, are currently being implemented, among them projects to ensure the continuity, coordination and development of the flow of information, including the proposal of indicators. As for the mechanisms to follow up implementation of the Convention, awareness-raising campaigns, the role played by the media and non-governmental organizations and the official interest in promoting the Convention and accomplishing the rights of the child are in themselves the most effective monitoring and follow-up mechanisms. In addition to these are the follow-up and monitoring role assigned to the Higher Council for Childhood and the legislative and practical monitoring carried out by the Lebanese Commission on the Rights of the Child and non-governmental organizations. Nevertheless, the concerned parties in Lebanon believe that these mechanisms should be further developed and activated in the near future.

548. Important steps in connection with a number of fundamental rights of the child have been achieved. On this score, Lebanon has accomplished, if not exceeded, the objectives set at world summits for the year 2000. Shortcomings, however, still remain in some fields, particularly the non-sectoral fields. Progress is particularly slow in all matters relating to public policies and concerning issues which are still sensitive for reasons unrelated to children, including, for example; all matters connected with economic policies and the priorities for reconstruction and spending; all matters connected with the Nationality Act and the distinction between women and men in the granting of nationality to children; the number of personal status laws and the inconsistency between them owing to the confessional nature of the political relationships and systems of representation; and the combination

of the political and the humanitarian dimensions in the problem of the Palestinian refugees in Lebanon and the regional and international responsibilities in regard to providing the resources needed to improve their situation.

549. In conclusion, the overall result remains positive. Real progress is being made in Lebanon in fundamental areas in comparison with States in similar circumstances. Moreover, the cooperation between the governmental and non-governmental sectors is regarded as an excellent sign. Most of the comments and recommendations of the Committee on the Rights of the Child have been taken into consideration and surpassed by the progress actually achieved, as shown by the indicators mentioned in the report and through the preparation and implementation of projects and plans, whether now or in the near future. The national priorities, however, must be targeted at the following points:

(a) Eliminating the regional and social differences in regard to the basic indicators of the status of children and emphasizing equal opportunities for all on an equal footing;

(b) Broadening the scope of the attention devoted to the rights of the child to beyond the traditional rights, particularly in connection with the right of participation;

(c) Filling the gaps in certain areas where no progress has occurred for complex reasons connected with the overall economic and political policies;

(d) Achieving significant progress in terms of the quantitative indicators and thereafter shifting the focus onto the quality of services and the rights available to children;

(e) Devoting attention to the creation of a national and international environment that promotes the survival and development of children, beginning with the implementation of Security Council resolution 425 (1978), which calls for the withdrawal of Israel from southern Lebanon, and continuing with a review of the structures and economic policies which generate global poverty and disparity.